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LAWS

OF THE

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1903.

LEGISLATURE CONVENED JANUARY 7, ADJOURNED APRIL 2.



CONCORD, N. H.

1903.

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LAWS

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JANUARY SESSION, 1903.

CHAPTER 1.

AN ACT AMENDING SECTION 11 OF CHAPTER 63 OF THE SESSION
LAWS OF 1897, ENTITLED "PRACTICE OF MEDICINE."

SECTION

1. Physician employed by summer hotel
to be licensed.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Amend section 11 of chapter 63 of the Session
Laws of 1897, by striking out the words "or the hotel physi-
cian regularly employed by the landlord of the summer hotel
in the care of his guests or employees."

Summer hotel
physicians to
be licensed.

SECT. 2. This act shall take effect from its passage.

Takes effect
on passage.

[Approved January 27, 1903.]

CHAPTER 2.

AN ACT TO PROMOTE CLEANLINESS AND TO PROTECT THE PUBLIC
FROM THE DISEASE COMMONLY KNOWN AS CONSUMPTION.

SECTION

1. Spitting in public places prohibited.
2. Fruit dealers to provide receptacles for waste matter.
3. Receptacles to be kept clean.

SECTION

4. Throwing certain waste matter into street prohibited.
5. Penalty for violation.

Be it enacted by the Senate and House of Representatives in General Court convened:

Spitting pro-
hibited.

SECTION 1. It shall be unlawful for any person to spit upon any sidewalk, in the compact part of any city, village or town, or in any railway station, hall or other public place, or in any street or steam railway car other than smoking cars, except into spittoons or other receptacles provided for that purpose.

Receptacles
for waste at
fruit stores.

SECT. 2. All persons keeping fruit for retail sale adjoining a sidewalk in the compact part of any village or city shall provide for public use a suitable receptacle for waste matter upon the outside of such store and adjoining or upon such sidewalk.

Care of recep-
tacles.

SECT. 3. Said receptacles mentioned in sections 1 and 2 shall be kept clean and wholesome.

Waste matter
not to be
thrown into
street.

SECT. 4. It shall be unlawful for any person to throw upon the sidewalk, or into any public street in the compact portion of any city or village, any waste matter from any fruit or any paper or other offensive or unsightly substance.

Penalty.

SECT. 5. Any person violating the provisions of this act shall be punished by a fine not exceeding ten dollars.

[Approved January 29, 1903.]

CHAPTER 3.

AN ACT TO AMEND CHAPTER 95 OF THE PUBLIC STATUTES, RELATING
TO THE TRUSTEES OF THE STATE NORMAL SCHOOL.

SECTION

1. Trustees of normal school and tenure of office.

SECTION

2. Appointment of trustees regulated.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Trustees and
tenure of
office.

SECTION 1. Section 2 of chapter 95 of the Public Statutes is hereby amended by striking out the word "two" in the last line of said section, and inserting instead thereof the word five, and by adding to said section the words, one of whom

shall be appointed each year, so that said section shall read:
SECT. 2. The management of the school shall be vested in a board of trustees composed of the governor, the superintendent of public instruction, and five other persons who shall be appointed by the governor, with the advice of the council, and shall hold office for five years, one of whom shall be appointed each year.

SECT. 2. Within thirty days after the passage of this act, the governor with the advice of the council shall appoint five members of the board of trustees of the New Hampshire State Normal School, in such manner that the term of one member will expire each year.

Appointment of trustees.

SECT. 3. This act shall take effect upon its passage.
[Approved February 3, 1903.]

Takes effect on passage.

CHAPTER 4.

AN ACT IN AMENDMENT OF CHAPTER 78 OF THE LAWS OF 1901,
ENTITLED "AN ACT PROVIDING FOR A JUDICIARY SYSTEM CONSISTING OF TWO COURTS."

SECTION

- 1. Terms of superior court for Carroll county.

SECTION

- 2. Writs, etc., returnable under former laws saved.
- 3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That part of section 15 of chapter 78 of the Laws of 1901, relating to the times and places of holding the terms of the superior court for the county of Carroll, is hereby amended, by striking out of said section, the following words: "For the county of Carroll, at Ossipee, on the third Tuesday of March, and the third Tuesday of October," and inserting in place thereof, the following: For the county of Carroll, at Ossipee, on the second Tuesday of June, and the second Tuesday of December.

Trial terms for Carroll county.

SECT. 2. All writs and processes which have been heretofore issued or which may be issued before this act takes effect and all precepts, recognizances, and proceedings of every kind now returnable at the trial terms of the superior court, on the third Tuesday of March next, shall be taken to be returnable at the corresponding term of the superior court next to be holden

Writs under former laws saved.

after this act takes effect. And all causes and proceedings now pending upon the trial term docket of the March term, 1903, of the superior court shall be in order to be heard and tried at the June term, 1903, of the superior court next to be holden in said county.

Takes effect
on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 3, 1903.]

CHAPTER 5.

AN ACT TO AMEND CHAPTER 92 OF THE PUBLIC STATUTES, RELATING TO DUTIES OF SCHOOL BOARDS.

SECTION 1. Reports of school boards to state superintendent, when made.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual re-
ports of school
boards by
July 15.

SECTION 1. Section 13 of chapter 92 of the Public Statutes as amended by chapter 50 of the Session Laws of 1895, is hereby amended by striking out the words "first day of August" and inserting in lieu thereof the words, fifteenth day of July, so that said section shall read: SECT. 13. School boards shall, on or before the fifteenth day of July in each year, send to the superintendent of public instruction copies of their annual reports and answers to the questions proposed by him, relating to the schools in their districts; the school year shall begin with the fall term.

[Approved February 3, 1903.]

CHAPTER 6.

AN ACT TO ABOLISH THE BOARD OF LIBRARY COMMISSIONERS.

SECTION

1. Board of library commissioners abolished.
2. Trustees of state library to perform duties of commissioners.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Library com-
missioners
abolished.

SECTION 1. The board of trustees of the state library and the board of library commissioners having become identical in personnel by virtue of the operation of chapter 7 of the Laws of 1901, the board of library commissioners is hereby abolished.

SECT. 2. All the powers and duties now by law made incumbent upon the board of library commissioners shall devolve upon the trustees of the state library. Duties to devolve on library trustees.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved February 3, 1903.]

CHAPTER 7.

AN ACT IN RELATION TO THE SALARY OF THE STATE REPORTER.

SECTION

1. Annual salary to be \$1,800.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The annual salary of the state reporter shall be eighteen hundred dollars, payable quarterly. Annual salary \$1,800.

SECT. 2. Section 2, chapter 84, Laws of 1897, and all other acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved February 4, 1903.]

CHAPTER 8.

AN ACT TO AMEND CHAPTER 69 OF THE LAWS OF 1901, ENTITLED "AN ACT TO PROTECT THE AMMONOOSUC RIVER IN CARROLL, BETHLEHEM, LITTLETON, LISBON, AND BATH, AND ITS TRIBUTARIES FROM POLLUTION BY SAWDUST AND OTHER WASTE."

SECTION 1. Ammonoosuc river in Landaff protected.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 69 of the Laws of 1901 is hereby amended by adding after the word "Lisbon," in section 1 in said act, the word Landaff, so that section 1 shall read as follows: Portion in Landaff protected.

No person or corporation shall put or place, or cause or allow to be put or placed any sawdust, shavings, edgings, chips, bark, or other waste, from wood-work establishments, into Ammonoosuc river, or its tributaries, in the towns of Carroll, Bethlehem, Littleton, Franconia, Lisbon, Landaff and Bath. Any person or corporation violating the provisions of this act shall be punished by a fine not exceeding one hundred dollars for each offense.

[Approved February 4, 1903.]

CHAPTER 9.

AN ACT PROVIDING A SEAL FOR THE STATE BOARD OF AGRICULTURE.

SECTION

1. Style of seal; use and effect.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Style of seal;
use and effect.

SECTION 1. The secretary of the state board of agriculture shall have a seal, which shall be like the present seal of the state except that the device thereon shall be surrounded by the words, New Hampshire State Board of Agriculture, in the place of the words, "Sigillum Reipublicæ Neo Hantonien-sis. 1784." surrounding the device of said seal of state. Every certificate or other official paper executed by the secretary of the state board of agriculture, in pursuance of any authority conferred by law, and bearing his seal of office, shall be received as evidence, and may be recorded in the proper recording offices in the same manner and with like effect as a deed legally acknowledged and proved, and copies of papers and records in his office, so authenticated, shall be received as evidence with the same effect as the records and files of his office.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 5, 1903.]

CHAPTER 10.

AN ACT TO AMEND CHAPTER 79 OF THE LAWS OF 1899 ENTITLED "AN ACT TO AMEND CHAPTER 184 OF THE PUBLIC STATUTES, RELATING TO THE TIMES AND PLACES OF HOLDING COURTS OF PROBATE WITHIN AND FOR THE COUNTY OF GRAFTON."

SECTION

1. Terms of probate court in Grafton county.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of said act is hereby amended by striking out the word "August" in the fourth line and inserting after the word "November" in the fifth line the words, and the fourth Tuesday of July, so that the section as amended shall read: SECTION 1. Section 9 of said chapter is hereby amended so as to read as follows: For the county of Grafton at Lebanon on the third Tuesday of January, April, July and October; at Plymouth on the second Tuesday of February, May and November and the fourth Tuesday of July; at Woodsville on the third Tuesday of March, June, September and December; at Canaan on the first Tuesday of June and December; at Haverhill on the first Tuesday of February, May and November.

Terms of probate court in Grafton county

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved February 10, 1903.]

CHAPTER 11.

AN ACT IN AMENDMENT OF SECTION 11, CHAPTER 79 OF THE SESSION LAWS OF 1901, RELATING TO THE FISH AND GAME COMMISSIONERS.

SECTION 1. Salaries of fish and game commissioners.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 11, chapter 79 of the Session Laws of 1901 be amended by striking out the whole of said section after the word "duties" in the third line and substituting therefor the following: and the chairman of the board shall receive as compensation for his services the sum of one thousand dollars per annum, and the two remaining members shall receive

Salaries of fish and game commissioners.

the sum of eight hundred dollars each per annum; so that the amended section shall read as follows: SECT. 11. Said commissioners shall be paid their traveling and other expenses necessarily connected with the discharge of their duties and the chairman of the board shall receive as compensation for his services the sum of one thousand dollars per annum, and the two remaining members the sum of eight hundred dollars each per annum.

[Approved February 10, 1903.]

CHAPTER 12.

AN ACT TO AMEND CHAPTER 179 OF THE PUBLIC STATUTES, RELATING TO GUARDIANS OF INSANE PERSONS AND SPENDTHRIFTS.

SECTION

1. Who are deemed spendthrifts.

SECTION

2. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Who are
deemed
spendthrifts.

SECTION 1. Amend section 3 of chapter 179 of the Public Statutes by inserting after the word "debauchery," in the second line of said section, the words, inability to manage his affairs with prudence, so that said section as amended shall read: SECT. 3. A person who by excessive drinking, gaming, idleness, debauchery, inability to manage his affairs with prudence, or vicious habits of any kind, so wastes, spends, or lessens his estate, or so neglects to attend to any business of which he is capable, as to expose himself or any of his family to want or suffering, or the town to which he belongs, in the judgment of the selectmen of the town in which he resides, to expense for the support of himself or any of his family, shall be deemed a spendthrift.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act takes effect upon its passage.

[Approved February 17, 1903.]

CHAPTER 13.

AN ACT TO AMEND CHAPTER 93 OF THE PUBLIC STATUTES, IN RELATION
TO SCHOLARS.

SECTION

1. Compulsory school attendance of certain children.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Section 14 of chapter 93 of the Public Statutes as amended by chapter 60 [61] of the Session Laws of 1901 is hereby amended by inserting after the word "years" in the second line, the words, *or of a child under the age of sixteen years who cannot read at sight and write legibly simple sentences in the English language,* so that said section shall read:
SECT. 14. Every person having the custody and control of a child between the ages of eight and fourteen years, or of a child under the age of sixteen years who cannot read at sight and write legibly simple sentences in the English language, residing in a school district in which a public school is annually taught, shall cause such child to attend the public school all the time such school is in session, unless the child shall be excused by the school board of the district because his physical or mental condition is such as to prevent his attendance at school for the period required, or because he was instructed in the English language in a private school approved by the school board for a number of weeks equal to that in which the public school was in session in the common English branches, or having acquired those branches, in other more advanced studies. Any person who does not comply with the requirements of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense, for the use of the district.

Compulsory
school attend-
ance of cer-
tain children.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 17, 1903.]

CHAPTER 14.

AN ACT IN AMENDMENT OF SECTIONS 1, 3, AND 4 OF CHAPTER 72 OF THE PUBLIC STATUTES, RELATING TO THE DISCONTINUANCE OF HIGHWAYS.

SECTION

1. Highway discontinued, or made subject to gates and bars.
2. Assessment of damages from discontinuance or change.

SECTION

3. Proceedings for damages on petition to court.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Highway discontinued, or made subject to gates and bars.

SECTION 1. Amend section 1, chapter 72, of the Public Statutes, by inserting after the word "discontinued" in the first line of said section, the following: or may be discontinued as open highways and made subject to gates and bars, so that said section as amended will read as follows: SECTION 1. Highways in a town may be discontinued, or discontinued as open highways and made subject to gates and bars, by vote of the town; if they extend beyond the limits of the town, they may be discontinued upon petition to the supreme court and like proceedings thereon as in laying out highways.

Assessment of damages.

SECT. 2. Amend section 3, by inserting after the word "highways" at end of the first line of said section the following: or for the discontinuance of highways as open highways and made subject to gates and bars, so that said section as amended will read as follows: SECT. 3. On petitions for the discontinuance of highways, or for the discontinuance of highways as open highways and made subject to gates and bars, referred to the county commissioners, if they report for the discontinuance they shall assess the damages occasioned to any person thereby.

Proceedings for damages on petition to court.

SECT. 3. Amend section 4 by inserting after the word "highway" in the second line of section 4 the following: or by the discontinuance of a highway as an open highway and made subject to gates and bars, so that said section as amended will read as follows: SECT. 4. The damages sustained by any person by the discontinuance of a highway or by the discontinuance of a highway as an open highway and made subject to gates and bars, by vote of the town, may be assessed on petition therefor to the superior court; and like proceedings may be had thereon, and in the assessment of damages by the commissioners, as in the case of laying out a highway.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved February 17, 1903.]

CHAPTER 15.

AN ACT IN AMENDMENT OF CHAPTER 192 OF THE PUBLIC STATUTES,
RELATING TO INSOLVENT ESTATES.

SECTION 1. Administrator to apply for decree of insolvency within one year; discretion of court to issue decree.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 192 of the Public Statutes relating to insolvent estates is hereby amended by adding after the word "administrator" in the second line of said section the words, made within one year after the original grant of administration, and not afterwards, and by adding at the end of said section the words, *Provided, however*, that the judge of probate, upon the petition of the administrator or executor, may, in his discretion, upon notice of such petition by publication, decree that the estate be administered as insolvent, so that said section 1 when amended shall read and be as follows:

SECTION 1. The estate of a person deceased may on application of the administrator, made within one year after the original grant of administration, and not afterwards, be decreed to be administered as insolvent, and one or more persons, not exceeding three, shall be appointed commissioners to examine and allow the claims of creditors against the estate. *Provided, however*, that the judge of probate upon the petition of the administrator or executor may, in his discretion, upon notice of such petition by publication, decree that the estate be administered as insolvent.

Application for decree in insolvency to be within one year; discretion of court to issue decree.

[Approved February 19, 1903.]

CHAPTER 16.

AN ACT TO CHANGE THE NAME OF STATION LAKE IN THE TOWN OF
SPRINGFIELD.

SECTION	SECTION
1. Name changed to Kolelemook lake.	2. Takes effect on its passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Station lake so called in the town of Springfield be and hereby is named Kolelemook lake.

Name changed.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 17.

AN ACT TO CHANGE THE NAME OF THE BODY OF WATER FORMERLY
CALLED MUNSONVILLE POND.

SECTION

1. Name changed to Granite lake.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Name
changed.SECTION 1. That the name of the body of water lying in
the towns of Nelson and Stoddard, and formerly called Mun-
sonville pond is hereby changed to Granite lake.Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 18.

AN ACT RELATING TO DOMESTIC INSURANCE COMPANIES.

SECTION

1. Domestic companies must be licensed.
2. Certain information to be furnished
to commissioner.

SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Must procure
licenses.SECTION 1. No insurance company organized under the
laws of this state shall do insurance business unless it has
obtained a license from the insurance commissioner authorizing
it to do so.To furnish
certain infor-
mation.SECT. 2. Before license is granted to the company it shall
file with the insurance commissioner a certified copy of its char-
ter and by-laws, a certificate giving the amount of capital paid
in in cash, and a full statement, under oath of its president and
secretary, showing its financial standing and condition in
accordance with blanks furnished by the commissioner. The
company will also furnish such other information in relation
to its condition as may be required by the commissioner. On
compliance with the foregoing conditions license shall be issued
to the company.Takes effect
on passage.

SECT. 3. This act shall take effect on its passage.

[Approved February 24, 1903.]

CHAPTER 19.

AN ACT TO AMEND SECTIONS 54 AND 58 OF CHAPTER 79, OF THE LAWS
OF 1901, RELATING TO THE FISH AND GAME LAWS OF THE STATE.

SECTION

1. Fishing for trout, etc., as occupation;
penalty.
2. Permission to sell lake trout revoked.

SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Section 54 of chapter 79, of the Laws of 1901, are [is] hereby amended by adding after the word "salmon" the words, or lake trout, so that said section as amended shall read as follows: SECT. 54. If any person shall, for the whole or any part of the time, engage in the business or occupation of fishing on any of the streams or ponds of this state, for brook or speckled trout, or in the lakes thereof for land-locked salmon or lake trout, or shall for the whole or any part of the time engage in the business or occupation of fishing for such fish for any other person, for gain or hire, he shall for every such offense be fined not exceeding fifty dollars (\$50), or be imprisoned not exceeding thirty days, or both such fine and imprisonment.

SECT. 2. Amend section 58, by striking out the words, "except that it shall be lawful to sell lake trout during the open season," so that said section shall read as follows: SECT. 58. If any person shall violate any provision of the three preceding sections. he shall be fined not exceeding fifty dollars (\$50) for each offense, or be imprisoned not exceeding six months, or both such fine and imprisonment, and all acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect on its passage.

[Approved February 24, 1903.]

Fishing for trout, etc., as occupation; penalty.

Permission to sell lake trout revoked.

Takes effect on passage.

CHAPTER 20.

AN ACT TO PUNISH EMBEZZLEMENT BY EXECUTORS, ADMINISTRATORS, GUARDIANS, AND TRUSTEES.

SECTION

1. Embezzlement by executors, guar-
dians, etc.; penalty.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Embezzle-
ment of trust
funds; pen-
alty.

SECTION 1. If any person being the duly appointed or acting administrator of the estate or executor of the last will of a person deceased, or guardian of any minor or insane person, or trustee, or other person acting in any fiduciary capacity shall embezzle or fraudulently convert to his own use, or fraudulently secrete with intent so to do, any money, bill, note or security for money, evidence of debt, or other effects or property whatever, in his possession as administrator, executor, guardian, trustee, or in any other fiduciary capacity as aforesaid, he shall be fined not exceeding two thousand dollars or be imprisoned not exceeding five years or both.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 24, 1903.]

CHAPTER 21.

AN ACT TO PROVIDE FOR TAKING DEPOSITIONS OUTSIDE THIS STATE, AND DEPOSITIONS WITHIN THIS STATE FOR USE IN OTHER STATES.

SECTION

1. Appointment of commissioner by
superior court.
2. Existing law applicable as to notice,
proceedings, etc.
3. Powers of such commissioner in for-
eign jurisdiction.

SECTION

4. Power in this state of commissioner
appointed by foreign court.
5. Rights under former laws not
affected.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Appointment
of commis-
sioner.

SECTION 1. Upon petition to the superior court, any justice of said court, either in term time or in vacation, may appoint some suitable person as commissioner to take depositions outside this state, for use in civil causes pending in or returnable to said superior court.

SECT. 2. After the appointment of such commissioner, the notice of the time and place of taking depositions before him, the proceedings in taking such depositions, the certificates to be made by him, and all other formalities with reference to taking, filing, and using such depositions, shall be the same, so far as applicable, as are now provided by law for taking depositions in civil causes. Notice, proceedings, etc.

SECT. 3. Said commissioner shall have and exercise all the powers conferred by the laws of other states, territories, and foreign countries upon commissioners or other persons authorized to take depositions in said other states, territories and foreign countries for use in causes pending in this state. Powers of commissioner in foreign jurisdiction.

SECT. 4. A commissioner or other person appointed by any court of record of any other state, territory or foreign country, for the purpose of taking depositions in this state for use in civil causes pending in such court of record, shall have the same powers of procuring the attendance of witnesses to give depositions before him, and of requiring the production of papers and the giving of such depositions, as are now or may be hereafter conferred by law on justices of the peace within this state with reference to depositions for use in civil causes pending within the courts of this state. Power in this state of commissioner appointed by foreign court.

SECT. 5. This act shall not affect any right to take depositions as now provided by law. Limitation.

SECT. 6. This act shall take effect on its passage. Takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 22.

AN ACT RELATIVE TO THE ISSUE OF BONDS, COUPON NOTES AND OTHER EVIDENCES OF INDEBTEDNESS OF STREET RAILWAY OR OTHER RAILROAD COMPANIES.

SECTION

1. Bonds, etc., not to be sold at less than face value.
2. Issuance and sale subject to control by railroad commissioners.

SECTION

3. Penalty for violation.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No bonds, coupon notes or other evidences of indebtedness payable at periods of more than twelve months from the date thereof, and issued in accordance with the provisions of any special charter or general law, shall be sold or disposed of by a street railway or other railroad company for a less sum to be paid to said company in cash than the face value thereof. Not to be sold at less than face value.

Subject to
control by
railroad com-
missioners.

SECT. 2. All such bonds, coupon notes and other evidences of indebtedness shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and no such street railway or other railroad company shall apply any part of the proceeds of said bonds for the original construction, or original equipment of its plant, except in accordance with the approval of the railroad commissioners.

Penalty.

SECT. 3. Any director or officer of a street railway or other railroad company who knowingly violates or disregards any of the provisions of this act shall be punishable by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year, or by both fine and imprisonment.

Takes effect
on passage.

SECT. 4. This act shall take effect on its passage.

[Approved February 24, 1903.]

CHAPTER 23.

AN ACT IN AMENDMENT OF SECTION 3, CHAPTER 209 OF THE PUBLIC STATUTES, RELATING TO EXEMPTIONS FROM SERVING AS JURORS.

SECTION

1. Persons exempted from jury service.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Persons
exempted.

SECTION 1. That section 3, chapter 209 of the Public Statutes be amended by adding the following words: except that firemen in towns of less than twenty-five hundred inhabitants as enumerated by the last United States census shall not be so exempt, so that said section, as amended, shall read as follows: SECT. 3. The governor, secretary, and treasurer of the state, judges, and clerks of the courts, registers of deeds and of probate, sheriffs and their deputies, counselors and attorneys-at-law, ordained ministers, practicing physicians and surgeons, postmasters and their assistants, fire engineers, fire-wards, and firemen, and any person interested in the illegal sale of intoxicating liquors or renting buildings for that purpose, are exempt from serving as jurors, and their names shall not be placed on the list; except that firemen in towns of less than twenty-five hundred inhabitants as enumerated by the last United States census shall not be so exempt.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 24.

AN ACT IN ADDITION TO CHAPTER 58 OF THE PUBLIC STATUTES, RELATING
TO THE APPRAISAL OF TAXABLE REAL ESTATE.

SECTION 1. Separated lands of same owner to be separately appraised and described.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Whenever it shall appear to the selectmen or assessors that two or more tracts of land which do not adjoin or are situated so as to become a separate estate have the same owner, they shall appraise and describe each tract separately and cause such appraisal and description to appear in their invoice.

Separate
appraisal of
separated
lands.

[Approved February 24, 1903.]

CHAPTER 25.

AN ACT IN AMENDMENT OF CHAPTER 44 OF THE LAWS OF 1893, RELAT-
ING TO THE POWERS AND DUTIES OF THE FORESTRY COMMISSION WITH
RESPECT TO PUBLIC PARKS.

SECTION

1. Regulations for protection of state
parks; penalty for violation.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Chapter 44 of the Laws of 1893 is hereby amended by adding at the end thereof the two following sections: SECT. 5. It shall be the duty of the forestry commission to make such rules and regulations as may be required to protect and preserve all lands which are acquired by the state under the provisions of section 4 from injury or disfigurement, all said rules and regulations to be posted upon said property and at two public places in the town or towns in which any part of such land may be located. SECT. 6. If any person shall violate any such rule or regulation of the forestry commission, he shall be fined not exceeding twenty dollars or be imprisoned not exceeding six months.

Regulations
for state
parks.

Penalty.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 24, 1903.]

CHAPTER 26.

AN ACT IN AMENDMENT OF CHAPTER 23 OF THE LAWS OF 1901,
ENTITLED "AN ACT TO ESTABLISH A LABORATORY OF HYGIENE."

SECTION 1. Annual appropriation of \$5,000 for laboratory of hygiene.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Annual appro-
priation of
\$5,000.

SECTION 1. Chapter 23 of the Laws of 1901 is hereby amended by striking out all of section 6 and inserting in the place thereof a new section, as follows: SECT. 6. The sum of five thousand dollars, or as much thereof as may be needed, is hereby appropriated annually to pay the necessary expenses of said laboratory, the purchase of supplies, and such other incidentals as may be required, which sum shall be expended under the supervision of the state board of health, and all expenditures shall be audited by the governor and council.

[Approved February 24, 1903.]

CHAPTER 27.

AN ACT IN AMENDMENT OF SECTION 27, CHAPTER 154 OF THE
PUBLIC STATUTES, RELATING TO THE CALLING OF PROPRIETORS'
MEETINGS.

SECTION

1. Proceeding in case of failure to hold
annual meeting.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Proceeding if
annual meet-
ing not held.

SECTION 1. That section 27, of chapter 154 of the Public Statutes is hereby amended by inserting after the word "accident" in the first line, the words, or otherwise; and by inserting after the word "reside" in the tenth line, the words, or in which such common lands are located, so that said section shall read as follows: SECT. 27. When by mistake or accident, or otherwise, the proprietors of common lands fail to hold their annual meeting, or where no mode for calling special meetings, is provided, three or more of the proprietors may apply in writing to any justice, requesting him to call a meeting. The justice shall thereupon issue his warrant, calling such meeting at such time

and place, not inconsistent with the provisions of this chapter, as he shall judge proper; which application and warrant shall be published in some newspaper printed in the county in which a major part of the proprietors reside, or in which such common lands are located. The meeting thus called and holden shall be valid and when assembled shall be governed in all respects, according to the requirements of this chapter.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 24, 1903.]

CHAPTER 28.

AN ACT ENTITLED AN ACT IN RELATION TO BAIL IN CRIMINAL CASES.

SECTION

1. Respondent may recognize with sureties, or deposit money.
2. Deposit held until non-liability of bail certified to.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever any person charged with a criminal offense is ordered by a police court or justice of the peace to furnish bail for his appearance at the superior court he may do so by recognizance with sufficient sureties or by deposit of money equal to the amount of bail required.

Bail by recog-
nizance or
deposit.

SECT. 2. All moneys deposited for bail shall be held for the use of the county until the clerk of the superior court shall certify that no liability exists against the bail.

Deposit, how
held.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved February 25, 1903.]

CHAPTER 29.

AN ACT AMENDING CHAPTER 92 OF THE PUBLIC STATUTES IN RELATION TO SCHOOL BOARDS.

SECTION

1. Attendance of teachers at teachers' institutes.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Attendance at teachers' institutes.

SECTION 1. Section 21 of chapter 92 of the Public Statutes is hereby amended by striking out all after the word "district" so that said section shall read: SECT. 21. Teachers of public schools may attend teachers' institutes held within the state, as provided by law, not exceeding three days in any term or five days in any year, and the time so spent shall be regarded as spent in the service of the district.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 25, 1903.]

CHAPTER 30.

AN ACT IN AMENDMENT OF CHAPTER 82 OF THE LAWS OF 1897, CONCERNING THE PRESERVATION AND INSPECTION OF BALLOTS.

SECTION 1. Disposition of ballots cast for certain officers at biennial elections.

Be it enacted by the Senate and House of Representatives in General Court convened:

Disposition to be made of ballots.

SECTION 1. Amend section 1 by striking out all of said section and inserting the following: SECTION 1. Ward and town officers whose duties it is to receive and count ballots cast at biennial elections for United States, state and county officers and for supervisors of the check-list and moderator, shall immediately after the ballots are counted and sealed, deliver them thus sealed, to the city clerk or town clerk or a representative designated by such clerk, who shall without breaking the seal or otherwise changing the condition of the package deposit the same in the office of such city or town clerk, who shall keep said ballots for a period of sixty days. If any person for whom a ballot was cast and recorded at any biennial election shall so request in writing within said sixty days the clerk having the custody of the ballots shall forthwith

forward them to the secretary of state, who shall receive and preserve them until the next succeeding biennial election. All ballots remaining in possession of the town or city clerk shall be destroyed at the expiration of sixty days after an election.

[Approved February 25, 1903.]

CHAPTER 31.

AN ACT TO AMEND SECTION 4 OF CHAPTER 96 OF THE LAWS OF 1901 AND SECTION 6 OF CHAPTER 92 OF THE PUBLIC STATUTES, RELATING TO COURSES OF STUDY.

SECTION

1. "High school" or "academy" defined.

SECTION

2. Studies to be prescribed by school boards.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 4 of chapter 96 of the Session Laws of 1901 is hereby amended by inserting after "normal school" in the fifth line of said section the words, including reasonable instruction in the Constitution of the United States and in the Constitution of New Hampshire, so that said section shall read: SECT. 4. By the term "high school" or "academy," as used in this act, is understood a school having at least one four years' course properly equipped and teaching such subjects as are required for admission to college, technical school, and normal school, including reasonable instruction in the Constitution of the United States and in the Constitution of New Hampshire, such high school or academy to be approved by the state superintendent of public instruction as complying with the requirements of this section.

SECT. 2. Section 6 of chapter 92 of the Public Statutes as amended by chapters 40 and 50 of the Session Laws of 1895. is hereby amended by inserting after the word "scholars" in the seventh line the words, and that the Constitution of the United States and of the State of New Hampshire be read aloud by the scholars at least once during the last year of the course below the high school, so that said section shall read: SECT. 6. (As amended by chapter 40 and chapter 50, Session Laws of 1895.) They shall prescribe in all mixed schools and in all graded schools above primary, the studies of physiology and hygiene, having special reference to the effects of alcoholic stimulants and of narcotics upon the human system, and shall

see that the studies so prescribed are thoroughly taught in said schools and that well approved text-books upon these subjects are furnished to teachers and scholars, and that the Constitution of the United States and of the State of New Hampshire be read aloud by the scholars at least once during the last year of the course below the high school, and may permit or prescribe the study of algebra, geometry, surveying, bookkeeping, philosophy, chemistry, and natural history, or any of them, and other suitable studies. School boards shall, annually, in the month of June or July, and at such other times as they deem best, hold an examination of candidates for certificates of qualification to teach in the public schools. Candidates shall be examined in the studies prescribed by law, or by the school board in accordance with law. Such candidates as pass an examination satisfactory to the school board, and present satisfactory evidence of good moral character and capacity for government, shall receive certificates of qualification signed by the school board, to continue in force not more than one year from the date thereof.

Takes effect
on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 25, 1903.]

CHAPTER 32.

AN ACT IN AMENDMENT OF SECTION 14 OF CHAPTER 264 OF THE PUBLIC STATUTES, RELATING TO OFFENSES AGAINST THE POLICE OF TOWNS.

SECTION

1. Drunkenness prohibited.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Drunkenness
prohibited.

SECTION 1. That section 14 of chapter 264 of the Public Statutes be amended by adding at the end of said section the following words: or to the disturbance of the peace, so that said section as amended shall read: SECT. 14. No person shall be drunk in a street, alley or other public place, nor in a private building or place, disturbing his family, or to the disturbance of the peace.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 25, 1903.]

CHAPTER 33.

AN ACT TO AMEND CHAPTER 94 OF THE PUBLIC STATUTES, IN RELATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

SECTION

1. Superintendent of public instruction may issue school laws biennially.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 2 of chapter 94 of the Public Statutes as amended by chapter 35 of the Session Laws of 1895 is hereby amended by adding the words, He shall have authority at the close of each biennial session of the legislature to compile and issue at the expense of the state an edition of the school laws with the session amendments, not exceeding two thousand copies, so that said section shall read: SECT. 2. The superintendent of public instruction shall prescribe the form of register to be kept in the schools, and the form of blanks and inquiries for the returns to be made by the school boards, and shall seasonably send the same to the clerks of the several towns and cities for the use of the school boards therein; he shall receive, preserve, or distribute all state documents in regard to public schools or education, and shall receive and arrange in his office reports and returns of school boards; he shall investigate the condition and efficiency of the system of popular education in the state especially in relation to the amount and character of the instruction given to the study of physiology and hygiene, having special reference to the effects of alcoholic stimulants and of narcotics upon the human system, and shall recommend to school boards what he considers the best text-books upon those subjects and suggest to them the best mode of teaching them, and shall pursue such a course for the purpose of awakening and guiding public sentiment in relation thereto as may seem to him best, and he shall biennially make a report, containing a concise abstract of the returns of the school boards, a detailed report of his own doings, a statement of the condition and progress of popular education in the state, and such suggestions and recommendations in regard to improving the same as his information and judgment may dictate. He shall have authority at the close of each biennial session of the legislature to compile and issue at the expense of the state an edition of the school laws with the session amendments, not exceeding two thousand copies.

Biennial issue
of school laws.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 25, 1903.]

CHAPTER 34.

AN ACT IN AMENDMENT OF THE ACT RELATING TO THE TERMS OF
THE SUPERIOR COURT IN GRAFTON COUNTY.

SECTION

1. Continuances in the superior court
for Grafton county.

SECTION

2. Repealing clause; act takes effect on
passage.*Be it enacted by the Senate and House of Representatives in
General Court convened:*Continuances
regulated.

SECTION 1. Section 4 of chapter 24, Laws of 1901, entitled "An act relating to the judicial districts and to the terms of court in Grafton county," is hereby amended by adding at the end of such section the words following, to wit: but no continuance under the provisions of this section shall be permitted unless the case is shown to the satisfaction of the court, to be one which is actually for trial and in which a trial cannot be had elsewhere without serious inconvenience and expense to the parties. It is provided, however, that nothing in this act or in the act of which this act is an amendment shall affect the rights of parties under the rules of court heretofore prescribed, or which may hereafter be prescribed by the court relative to continuances of actions.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 25, 1903.]

CHAPTER 35.

AN ACT TO AMEND SECTION 1, CHAPTER 184 OF THE PUBLIC STATUTES,
RELATIVE TO THE TIMES AND PLACES FOR HOLDING COURTS OF PRO-
BATE; REPEALING CHAPTER 29 OF THE SESSION LAWS OF 1901.

SECTION

1. Terms of probate court for Rocking-
ham county.

SECTION

2. Takes effect May 1, 1903.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Terms, when
and where
held.

SECTION 1. Section 1 of chapter 184 of the Public Statutes is hereby amended by striking out all of said section after the second line and inserting instead the following: For the county of Rockingham, at Exeter on the fourth Tuesday of each month except August and on the second Tuesday of

February, April, June, September, October, and December; at Portsmouth on the first Tuesday of January, March, May, July, September and November; at Derry on the first Tuesday of February, June, October and December; at Raymond on the third Tuesday of May and November.

SECT. 2. This act shall take effect on and after the first day of May, 1903. Takes effect
May 1, 1903.

[Approved February 25, 1903.]

CHAPTER 36.

AN ACT TO PERMIT EXECUTORS AND ADMINISTRATORS TO RESIGN.

SECTION

1. May resign when judge of probate deems it proper.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Any executor or administrator may upon his request be allowed to resign his trust, whenever it appears to the judge of probate to be proper to allow him to do so. May resign,
when.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 25, 1903.]

CHAPTER 37.

AN ACT TO PROVIDE FOR OBTAINING THE TESTIMONY OF NON-RESIDENT DIRECTORS, OFFICERS AND AGENTS OF NEW HAMPSHIRE CORPORATIONS AND THE PRODUCTION OF CORPORATE BOOKS, RECORDS AND PAPERS.

SECTION

1. Non-resident directors, etc., may be required to testify and produce books and papers.
2. Superior court may issue order to compel attendance of such witness; service of summons.
3. Commissioner may be appointed to take testimony.

SECTION

4. Fees of witnesses summoned under this act.
5. If witness wilfully neglects or refuses to appear.
6. "Director," "officer," and "agent" defined.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever any domestic corporation is a party, whether as plaintiff, defendant, trustee, or otherwise, to any legal proceeding in this state before any court, board of commissioners or other lawful tribunal, every non-resident director, officer or agent of such corporation may be required to appear Non-resident
directors may
be required to
testify.

and testify in such proceeding within the state or give his deposition for use in such proceeding before a special commissioner or commissioners within or without the state, and to produce all books, records and papers of such corporation or relating to its affairs in his possession or control so far as the same are or may be material upon the questions involved in such proceeding.

Order of court
to compel
attendance;
service.

SECT. 2. Upon the petition of any party to such proceeding, any justice of the superior court may issue such order as shall seem to the court to be reasonable and just requiring such director, officer or agent to appear and testify in such proceeding and, upon such order, the clerk of the superior court for any county may issue a summons requiring such director, officer or agent to appear and comply with the terms of said order. Such summons may be served by delivering in hand to or by leaving at the last and usual place of abode of the person summoned, either within or without the state, an attested copy thereof, and such summons may require the person so summoned to produce books, records and papers as aforesaid in connection with his testimony.

Commissioner
to take testi-
mony.

SECT. 3. Upon the petition of any party to such proceeding, any justice of the superior court may issue a commission to any special commissioner, for that purpose appointed by the court, authorizing such commissioner to summon or cause to be summoned such director, officer or agent to appear before him and give his deposition for use in such proceeding, and such summons may require the person so summoned to produce books, records and papers as aforesaid, in connection with his deposition.

Fees of wit-
nesses.

SECT. 4. Any witness summoned to testify before any tribunal or to give his deposition before any commissioner, in accordance with this act, shall be paid such fees for attendance and travel as witnesses are entitled to under the laws of the state in which the testimony or deposition is to be given. Provided said witness shall be summoned to come from another state into this state, he shall be paid double fees for his travel and attendance.

Effect of wil-
ful neglect or
refusal to
appear.

SECT. 5. If any such director, officer or agent shall wilfully neglect or refuse to appear, produce books, records or papers, or to testify or give his deposition as required by such order or summons, the superior court in its discretion, upon notice and hearing may thereupon appoint a receiver to manage and control such corporation until the reasonable and just orders of the court shall be complied with, and when such orders shall have been complied with, such receiver shall be discharged.

"Director,"
"officer," and
"agent" and
defined.

SECT. 6. The words "director," "officer" and "agent" as used in this act shall include all persons who may be directors, officers and agents of such corporation at the commence-

ment of the proceeding or who may become such during the pendency thereof, and all persons who may have the custody or possession of the books or records or papers of the corporation.

SECT. 7. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 26, 1903.]

CHAPTER 38.

AN ACT TO ENABLE THE STATE BOARD OF HEALTH TO PREVENT CONTAMINATED WATER BEING FURNISHED FOR DOMESTIC CONSUMPTION.

SECTION

1. Board may prohibit domestic use of polluted water; penalty.
2. Superior court has jurisdiction to enforce orders.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever the state board of health, upon investigation become satisfied that a well, spring, or other supply of water, used for domestic purposes, has become polluted so as to endanger the public health they are authorized to prohibit the person or corporation, owning or controlling said supply, from furnishing such water for domestic purposes, until they become satisfied that said water supply has been purified and made fit for domestic use. Any person or corporation official or agent violating the order of the board shall be punished by a fine of not less than one hundred dollars and not exceeding one thousand dollars for each and every day they continue to furnish water for domestic purposes after the order of the board has been served upon them.

May prohibit
domestic use
of polluted
water; pen-
alty.

SECT. 2. The superior court shall have jurisdiction in equity upon application of the state board of health to enforce the orders of said board, issued in accordance with the provisions of section 1.

Superior
court may en-
force orders.

SECT. 3. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 3, 1903.]

CHAPTER 39.

AN ACT TO AMEND CHAPTER 92, PUBLIC STATUTES, RELATING TO SCHOOL
BOARDS.

SECTION

1. School boards to purchase flags; penalty for neglect.
2. Expenditure limited to ten dollars for each schoolhouse.

SECTION

3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Purchase of
flags; penalty
for neglect.

SECTION 1. Chapter 92 of the Public Statutes is hereby amended by inserting the following in place of section 8 repealed by chapter 50 of the Session Laws of 1895: SECT. 8. They shall purchase at the expense of the city or town in which the district is situated, a United States flag of hunting, not less than five feet in length with a flagstaff and appliances for displaying the same, for every schoolhouse in the district, in which a public school is taught not otherwise supplied. They shall prescribe rules and regulations for the proper custody, care, and display of the flag; and whenever not otherwise displayed, it shall be placed conspicuously in the principal room of the schoolhouse. Any member of a school board who shall refuse or neglect to comply with the provisions of this section shall be fined ten dollars for the first offense, and twenty dollars for every subsequent offense.

Expenditure
limited.

SECT. 2. Not more than ten dollars shall be expended for the flag, flagstaff and appliances for any one schoolhouse, and the school board shall have the same control over its preservation and display that it has over the other district property.

Takes effect
on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 3, 1903.].

CHAPTER 40.

AN ACT IN AMENDMENT OF SECTION NINE (9), CHAPTER ONE HUNDRED FIVE, OF THE LAWS PASSED JANUARY SESSION, 1901, RELATING TO POLITICAL CAUCUSES AND CONVENTIONS.

SECTION	SECTION
1. Caucus act, where in force.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section nine (9), chapter one hundred five (105) of the Laws of 1901 be amended as follows: In the first line of said section nine (9), strike out the word "fifteen" and insert in lieu the word twelve, so that said section, as amended shall read as follows: SECT. 9. This act shall be in force in all cities of twelve thousand inhabitants, according to the census of 1900, and in such other cities and towns of the state as shall by majority vote of the voters at an annual or biennial meeting adopt the same.

Caucus act:
where in
force.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 3, 1903.]

CHAPTER 41.

AN ACT EXPLANATORY OF THE POWERS OF THE COURTS IN REFERENCE TO THE FEES OF COMMISSIONERS IN CERTAIN CASES.

SECTION	SECTION
1. Court may allow commissioners' fees in certain cases.	3. Repealing clause; act takes effect on passage.
2. Act applicable to pending cases.	

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The provisions of section 12, chapter 78, Laws of 1901 relating to the trial of cases by referees shall not be so construed as to restrain the court in its discretion from ordering the payment of the fees and expenses of commissioners or committees by the county in cases in which a compulsory reference to commissioners or committees is provided by law and in which parties shall have actually tried such cases before such commissioners or committees under the requirements of any general or special law in such case made and provided.

Court may
allow certain
fees.

Applicable to
cases pending.

SECT. 2. The provisions of this act shall be applicable to cases now pending.

Repealing
clause; act
takes effect
on passage.

SECT. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 3, 1903.]

CHAPTER 42.

AN ACT TO REIMBURSE THE TOWN OR COUNTY FOR AID FURNISHED PAUPERS.

SECTION

1. Pauper aid recoverable against estate of person relieved; how preferred.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Pauper claim
against
estate; pref-
erence.

SECTION 1. Any town or county furnishing any assistance to any person within six years preceding his death shall be entitled to recover from the estate of such person the sum or sums paid out for such assistance the said claim to be a preferred claim against his said estate after the payment of funeral charges, expense of last sickness and expenses of administration, provided he leaves no widow or minor children living at his decease.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 4, 1903.]

CHAPTER 43.

AN ACT TO AUTHORIZE THE STATE BOARD OF AGRICULTURE TO APPOINT
A STATE NURSERY INSPECTOR AND TO PROVIDE FOR THE PROTECTION
OF TREES AND SHRUBS FROM INJURIOUS INSECTS AND DISEASES.

SECTION

1. Board of agriculture to appoint inspector.
2. Duties of inspector; certificates to nurseries.
3. Owners of nurseries to hold certificate of inspection; penalty.
4. Owners fumigating with hydrocyanic acid gas exempt.

SECTION

5. Nursery stock shipped into state to bear certificate of inspection.
6. Inspector to determine season of inspection, etc.
7. Violations to be prosecuted by secretary of board of agriculture.
8. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The state board of agriculture shall annually appoint some person qualified by scientific training and practical experience, to be state nursery inspector, and he shall be responsible to the board for the performance of his duties as prescribed in this act. The said inspector may appoint such number of deputies, not exceeding two, as he may deem necessary or expedient. Appointment of inspector.

SECT. 2. It shall be the duty of the state nursery inspector, either personally or through his deputies, to inspect at least once each year all nurseries or places in the state where nursery stock is grown, sold or offered for sale, and if no dangerous insect or fungous pests are found therein a certificate to that effect shall be given. If such pests are found therein the owner of the stock shall take such measures to suppress the same as the state nursery inspector shall prescribe, and no certificate shall be given until the said inspector has satisfied himself by subsequent inspections that all such pests have been suppressed. Duties; certificate.

SECT. 3. Any owners of nurseries or of places in the state where nursery stock is grown, sold or offered for sale, who do not hold an unexpired certificate of inspection after the first annual inspection made after the passage of this act, who shall sell or otherwise dispose of nursery stock in the state, shall be subject to a penalty of not less than twenty-five nor more than one hundred dollars for each offense. Nursery owners to hold certificates; penalty.

SECT. 4. Any owners of nurseries or of places in the state where nursery stock is grown, sold or offered for sale, who shall fumigate with hydrocyanic acid gas all stock which they sell, using at least two tenths of a gram of potassic cyanide to every cubic foot of space contained in the box, house or other Owners who fumigate with hydrocyanic acid gas exempt.

place wherein this fumigation is performed, which place shall be gas tight, and who shall expose the said stock to the fumes of this gas of the strength aforesaid for at least forty minutes, or who shall treat the stock which they sell by some other method approved by the state nursery inspector, and who shall make affidavit before a justice of the peace that all stock sold by them has thus been fumigated or treated, and who shall attach a copy of such affidavit to each package, box or car of stock sold, may be exempt from the provisions of sections 2 and 3 of this act.

Nursery stock shipped into state to bear certificate.

SECT. 5. All nursery stock shipped into this state from any other state, country or province shall bear on each box or package an unexpired certificate that the contents of said box or package have been inspected by a duly authorized inspecting officer, and that said contents appear to be free from all dangerous insects or diseases. In case nursery stock is brought within the state without such a certificate the consignee shall return it to the consignor at the expense of the latter, or shall call the state nursery inspector to inspect the same: *provided, however,* that any package or box bearing a certificate of fumigation which meets the requirements specified in section 4 of this act may be accepted as though bearing a proper certificate of inspection.

Season of inspection, etc.

SECT. 6. The state nursery inspector shall determine the season for inspecting nurseries and the forms of certificates to be given, but in no case shall he issue a certificate which shall continue in force after the first day of July next following the date of inspection. He or any of his deputies shall at all times have the right to enter any public or private grounds in the performance of any duty required by this act. The cost of said inspection shall not exceed three hundred dollars annually.

Prosecutions.

SECT. 7. All parties violating this act shall be prosecuted by the secretary of the state board of agriculture.

Takes effect on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved March 4, 1903.]

CHAPTER 44.

AN ACT TO AUTHORIZE THE GOVERNOR WITH THE CONSENT OF THE COUNCIL TO CAUSE THE ORIGINAL MAPS AND SURVEYS BY THE TOWN PROPRIETORS OF NEW HAMPSHIRE TO BE MOUNTED AND PRESERVED.

SECTION

1. Mounting and preservation authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The governor, by and with the consent of the council, is authorized to cause to be properly mounted and preserved the maps, surveys, and plans of the original town proprietors and the Masonian proprietors of the towns of New Hampshire in the custody of the secretary of state and the state librarian, and is authorized to draw his warrant for the payment of expense thereof from any money not otherwise appropriated to an amount not exceeding five hundred dollars (\$500).

Authority granted.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 4, 1903.]

CHAPTER 45.

AN ACT IN RELATION TO SMALLPOX.

SECTION

1. Physicians to report; town officers to quarantine or report to state board of health; penalty for neglect.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. It shall be the duty of every physician who attends upon any person whom he suspects is infected with smallpox to immediately report the same to the health officers of the town in which said person then resides, or if there be no health officers, then to the selectmen of the town who shall immediately quarantine such person and if there be doubt whether such person is suffering from smallpox, then said health officers or selectmen shall immediately notify the state board of health and request it to investigate the case immediately. If any physician, health officer or selectmen shall neglect so to do he shall be fined the sum of one hundred dollars to be recovered by the health officers, selectmen or any citizen of the town in the name of the town and for the benefit of the town.

Physicians and town officers to report; penalty.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 4, 1903.]

CHAPTER 46.

AN ACT RELATING TO THE SALARY OF THE REGISTER OF PROBATE FOR
THE COUNTY OF CHESHIRE.

SECTION

1. Annual salary to be \$600.

SECTION

2. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Annual salary
\$600.

SECTION 1. The annual salary of the register of probate for the county of Cheshire shall hereafter be six hundred dollars, to be payable at the same times and in the same manner as it is now payable.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

[Approved March 5, 1903.]

CHAPTER 47.

AN ACT IN AMENDMENT OF CHAPTER 51 OF THE PUBLIC STATUTES RELAT-
ING TO CEMETERIES.

SECTION

1. Certain cemeteries established by private enterprise under control of selectmen.

SECTION

2. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Certain ceme-
teries put
under control
of selectmen.

SECTION 1. Amend section 2 of chapter 51 of the Public Statutes, by adding at the end thereof the words, and any cemetery laid out by an individual or corporation, and located within the limits hereinbefore named, in which all lots have been sold, and for the care of which trust funds are held by the town shall be under the control of the selectmen, so that said section as amended shall read: SECT. 2. No cemetery shall be laid out within twenty rods of any dwelling-house, store, or other place of business without the consent of the owner of the same, nor any enlargement of existing cemeteries within twenty rods, except when the land so laid out is at a greater distance from any dwelling-house, store, or public place than the original cemetery for the enlargement of which such

land shall be taken. And any cemetery laid out by an individual or corporation and located within the limits hereinbefore named, in which all lots have been sold, and for the care of which trust funds are held by the town, shall be under the control of the selectmen.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act takes effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 5, 1903.]

CHAPTER 48.

AN ACT RELATING TO AGREED LINES BETWEEN ADJOINING OWNERS.

SECTION

1. Establishment of boundary line by agreement.
2. Agreement to be in writing, signed, sealed, acknowledged, and recorded.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever the boundary line between the land or estates of adjoining owners is in dispute and the location of the same as described in the deeds of said owners or of their predecessors in title cannot be determined by the monuments and boundaries named in any of said deeds, the parties may establish said line by agreement in the following manner and not otherwise: The line agreed upon shall be surveyed and established by courses and distances and suitable and permanent monuments shall be placed at each end and at each angle of the boundary so agreed upon. Agreed line, how established.

SECT. 2. A writing, reciting that the parties signing the same are adjoining owners; that the division line between their lands is in dispute; that the line described in their respective deeds or in the deeds of any of their predecessors in title cannot be located on the ground by reason of the loss or obliteration of the monuments and boundaries therein named and described; and containing a full and complete description of the line thus agreed upon and established, shall be drawn up, signed, sealed and acknowledged by the parties to the agreement before a justice of the peace or any other duly qualified officer having authority to take the acknowledgment of deeds and recorded with the registry of deeds for the county where the lands are located. Requisites of written agreement.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 5, 1903.]

CHAPTER 49.

AN ACT RELATING TO THE SALARY OF THE JUDGE OF PROBATE FOR
THE COUNTY OF ROCKINGHAM.

SECTION

1. Annual salary to be \$1,200.

SECTION

2. Repealing clause; act takes effect on
passage.*Be it enacted by the Senate and House of Representatives in
General Court convened:*Annual salary
\$1,200.SECTION 1. The annual salary of the judge of probate for
Rockingham county shall hereafter be twelve hundred dollars.Repealing
clause; act
takes effect
on passage.SECT. 2. All acts and parts of acts inconsistent with this act
are hereby repealed. This act shall take effect upon its pas-
sage.

[Approved March 5, 1903.]

CHAPTER 50.

AN ACT IN RELATION TO THE SALARY OF THE JUDGE OF PROBATE
FOR STRAFFORD COUNTY.

SECTION

1. Annual salary to be \$800.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Annual salary
\$800.SECTION 1. The annual salary of the judge of probate for
Strafford county shall hereafter be eight hundred dollars, pay-
able at the same time and in the same manner as it is now
payable.Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 5, 1903.]

CHAPTER 51.

AN ACT RELATIVE TO THE SALARY OF THE REGISTER OF PROBATE OF
COOS COUNTY.

SECTION

1. Annual salary to be \$700; repealing
clause.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That the salary of the register of probate of the county of Coös shall hereafter be seven hundred dollars payable as now provided by law and so much of section 15 of chapter 286 of the Public Statutes as is inconsistent with this act is hereby repealed.

Annual salary
\$700; repeal-
ing clause.

SECT. 2. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 5, 1903.]

CHAPTER 52.

AN ACT IN RELATION TO THE SALARY OF THE REGISTER OF PROBATE
FOR STRAFFORD COUNTY.

SECTION

1. Annual salary to be \$1,000.

SECTION

2. Repealing clause; act takes effect on
passage.*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The annual salary of the register of probate for the county of Strafford shall hereafter be ten hundred dollars.

Annual salary
\$1,000.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved March 5, 1903.]

CHAPTER 53.

AN ACT IN RELATION TO THE SALARY OF THE JUDGE OF PROBATE FOR
MERRIMACK COUNTY.

SECTION

1. Annual salary to be \$1,200.

SECTION

2. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Annual salary
\$1,200.

SECTION 1. The annual salary of the judge of probate, for Merrimack county, shall hereafter be twelve hundred dollars, said salary to be payable at the same time and in the same manner as it is now payable.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

[Approved March 5, 1903.]

CHAPTER 54.

AN ACT TO PROVIDE FOR A MORE ECONOMICAL AND PRACTICAL EX-
PENDITURE OF MONEY APPROPRIATED BY THE STATE FOR THE CON-
STRUCTION AND REPAIR OF HIGHWAYS.

SECTION

1. Governor and council to have general supervision.
2. Coös, Carroll, and Grafton counties a district.
3. System of continuous ways contemplated.
4. Existing highways may be appropriated without liability.
5. Certain roads designated as state highways; private rights to be assigned; exercise of eminent domain.
6. State not liable for injuries received on such roads; towns not liable to suit or indictment.
7. Contracts to be awarded upon competitive bids.
8. Civil engineer to be appointed; duties.
9. Emergency repairs when competitive bids impracticable.
10. Inspection of roads by engineer and others.
11. Compensation of district engineer.
12. Roads may be divided into sections.
13. Survey and location of highway from the base of Mt. Washington to the Chase farm in Franconia provided for.
14. Road to be surveyed and located in seven sections.

SECTION

15. Commissioners to secure conveyances or assess damages.
16. Return of assessments.
17. Commissioners to contract for and superintend construction; compensation.
18. Width of road and character of construction.
19. State to pay damages awarded.
20. Towns not to be subject to suit or indictment.
21. Existing highways may be appropriated.
22. Appropriation for indebtedness incurred by commission on Jefferson Notch road.
23. Appropriation for improvement of Jefferson Notch road; how expended.
24. Specific appropriations for sundry highways.
25. Compensation of engineers, etc., and land damages not chargeable to specific appropriations.
26. Appropriation for road from Odiome's Point to Jenness Beach; commission provided for.
27. Specific appropriations for sundry highways.
- 27 [28]. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The general supervision, control and direction of the business to which the provisions of this act relate shall be and hereby are committed to the governor and council.

Governor and council to supervise.

SECT. 2. For the purposes of this act the counties of Cöös, Carroll and Grafton shall be regarded as a district.

Certain counties a district.

SECT. 3. The appropriations and expenditures on the part of the state for the construction and improvement of highways in said district shall, so far as practicable, be made with reference to a system of continuous ways designed, adopted and constructed to facilitate and increase the public travel to and from the mountain and lake regions in said district.

System of continuous ways contemplated.

SECT. 4. Any existing roads or ways, now in use as public highways, located and being in the routes hereinafter specified for construction, repair and maintenance, may, in the discretion of the governor and council, be taken and appropriated for the purposes of this act; but no liability shall thereby be created against the state or against any town for such taking and appropriation, and no compensation shall thereby become due or payable to any town, corporation or natural person having or claiming property, rights, or interests within the limits of such existing roads or ways now in use as public highways.

Existing highways may be appropriated.

SECT. 5. The road which extends from the main road in Jefferson, at an intersection near the hotel of Ethan Allen Crawford, to the Crawford House in the town of Carroll, known as the "Jefferson Notch road"; the turnpike road, so called, extending from the base of Mt. Washington to the main road running by the Fabyans known as the Portland road; the highway proposed to be constructed in parts between the Fabyan House and the Twin Mountain House (according to surveys on file in the office of the secretary of state), and the parts of the existing highways which shall connect with and make said parts above mentioned continuous between the easterly terminus of the Mt. Washington turnpike road, so called, and the northerly terminus of the McCann road, so called, which leads southerly from the Twin Mountain House towards the Bethlehem line; the road proposed to be constructed from a point on said Portland road near the Twin Mountain House, where the Portland road is intersected by the road leading to the house of one John McCann and thence to the Profile House (provided an appropriation for the construction of said road from said McCann road to the Profile golf links on the Chase farm, so called, shall be made by this act and not otherwise); the main road from the height of land in Franconia leading through the Franconia Notch to North Woodstock; and the Notch road leading from the point of intersection of the Mt. Washington

Certain roads designated as state highways; private rights to be assigned; exercise of eminent domain.

turnpike, so called, with the said Portland road in Carroll to the line of the town of Bartlett shall be state highways and shall be constructed and maintained by the state, provided that parties over whose unappropriated lands the same may pass, or who have any kind of proprietorship in said roads or highways or any part of them, shall, on terms satisfactory to the governor and council, assign the right of way for said highways to the state, or such rights of way shall be duly appropriated by the state under due procedure in the exercise of the right of eminent domain. Any taking by the state of lands necessary for the purposes of this act shall be by proceedings the same as are provided for the laying of highways to public waters.

State not liable for injuries; towns not liable to suit or indictment.

SECT. 6. No claim shall accrue or exist against the state, and no action be maintained against any town in which a road is situated on which the work of construction is done or repairs made, in whole or in part, at the expense of the state, for or on account of any injury to person or property on any such road; nor shall any indictment or information be maintained against any town on account of the condition of such road.

Contracts to be awarded on competitive bids.

SECT. 7. The work of construction and repair on the highways and roads aforesaid, so far as the same may be done by the state (unless for some special reason such course is impracticable) shall be by contract upon specifications furnished by a state engineer and upon competition by responsible contractors, and the person to whom any contract shall be awarded shall be required to give adequate security by bond or deposit for the faithful performance of any contract awarded to him.

Civil engineer to be appointed; duties.

SECT. 8. The governor and council shall designate and appoint a competent civil engineer, for said district, who shall make specifications for any and all work to be done on highways and roads in said district for which the state shall, either in whole or part, provide the expense of construction or maintenance. Said engineer shall also supervise the work done, on said highways, either in whole or in part at the expense of the state, at the time such work is in progress, and at its completion, examine it to ascertain whether it shall have been done in accordance with the requirements of the contract. He shall also make full and detailed report to the governor and council as to the amount, character, and quality of the work done and as to whether the requirements of the contract have been fulfilled in each case.

Emergency repairs when competitive bids impracticable.

SECT. 9. In case of sudden emergencies and on occasions when repairs are required on the state roads or those on which the state authorizes expenditures in said district, and in case the procurement of contracts therefor by competition is impracticable, the governor and council may authorize emergency repairs, without requiring competitive bids for the same; but in no instance shall any work or expenditure on said highways

or roads be a charge against the state unless it shall be done by contract authorized by the governor and council and unless it shall have been inspected and approved by the engineer appointed as aforesaid.

SECT. 10. The governor and council may require the state highway engineer, and may appoint any other person or persons, from time to time, personally to traverse the highways and roads which are made state highways and those upon which the state may make expenditures in said district for the purpose of ascertaining the condition thereof, and to make recommendations as to what may, from time to time, be found necessary, or expedient for their repair and improvement.

Inspection by engineer, and others.

SECT. 11. The compensation of said district engineer shall be fixed by the governor and council, and shall cover only the time in which he may be actually employed in the business of the state and his actual expenses incurred in performance of the duties of his office. The accounts of said engineer shall be audited by the governor and council and the amount found due paid out of the treasury of the state upon the governor's warrant.

Compensation of engineer.

SECT. 12. The governor and council are authorized in their discretion to divide the roads named in this act into sections, or to group separate roads, or parts of roads, as considerations of efficiency and economy in the execution of the work of construction, repair, and maintenance may require.

Division of roads into sections.

SECT. 13. The governor with the advice of the council, shall appoint a commission of three persons to survey and locate a highway beginning at a point in Thompson and Meserve's Purchase, a place in the county of Coös, which is the easterly terminus of the highway leading from Fabyans to the base of Mt. Washington, and which is known as the Mt. Washington turnpike; thence over the line of said turnpike road, as it now exists, to the point of its intersection with the Portland road, so called, near the Fabyan House in that part of Carroll known as Nash & Sawyer's Location; thence westerly on and over said Portland road, so called, to a point therein marked by an iron rod driven in the ground in the traveled part of said road, with stakes driven in the ground on each side of the road at that point as witnesses, each marked with the letter "A"; thence crossing the Ammonoosuc river to the southerly side thereof, and westerly along the southerly side, and again crossing said river to a point in said Portland road marked by an iron driven in the ground in the traveled part of the road with stakes driven in the ground on each side of the road as witnesses, each marked with the letter "B"; the distance between said point marked "A" and "B" being two hundred and ninety-four (294) rods; thence westerly on and over said Portland road in a westerly direction to a point therein marked by an iron driven in the ground in the traveled part of

Survey and location of highway from base of Mt. Washington to the Chase farm in Franconia.

the road, with stakes driven in the ground on each side thereof as witnesses, each marked with a letter "C"; thence crossing said river to the southerly side thereof and continuing along the southerly side, and again crossing the river to a point in said Portland road, easterly of the railroad bridge and easterly of the Twin Mountain House, which point is marked by an iron driven in the ground in the traveled part of said road, with stakes driven in the ground on each side thereof as witnesses, each marked with the letter "D," the distance between said points marked "C" and "D," being two (2) miles and fifty-one (51) rods; thence westerly on said Portland road to the point of its intersection, near the Twin Mountain House, with a road leading southerly toward the Bethlehem line to a point therein, near the house of John McCann; thence continuing to the Bethlehem line and across Bethlehem to the Franconia line, and thence in Franconia to a point marked by a stake in the existing highway in front of a club-house on the Chase farm, so called, at the highway which leads from that point in one direction to the Profile House and in the other direction to the village of Franconia, the distance from the point of intersection with said McCann road to the point marked as aforesaid on the Chase farm being eight and thirty-two one hundredths (8 $\frac{32}{100}$) miles.

The commissioners shall be appointed and commissioned on or before April 1st, and shall make said survey, and shall locate said highways and make return on said survey and location of said highways to the secretary of state prior to May 1st, 1903.

Road to be surveyed and located in seven sections.

SECT. 14. The commissioners shall survey and locate said road in sections or parts, that part from the base of Mt. Washington to said point marked "A" in the Portland road being one section or part; the next section being that extending from the point marked "A" to the point marked "B"; the third section being that between the points marked "B" and that marked "C" on the Portland road; the fourth being that between the point marked "C" and the point marked "D" along the Portland road and over the McCann road to the terminus thereof; the sixth section being one extending from the terminus of said McCann road to the Franconia line, and the seventh section being one extending from the Franconia line to the terminus above described on the said Chase farm. The location of said roads described in section thirteen (13) of this act, not heretofore constructed shall be shown by plans thereof to be filed in the office of the secretary of state.

Commissioners to secure conveyances or assess damages.

SECT. 15. After making the survey and location of said roads described in section thirteen (13) of this act and making a return thereof to the secretary of state, as provided in the last preceding section, the commissioners may secure from the respective owners thereof a conveyance, or conveyances, to the state, of the fee or an easement in the land covered by such

location; and should any owner of land or property taken for said road, or any part thereof, refuse to make such conveyance, without compensation, the commissioners shall assess the damages sustained by such owners of land or property so taken upon giving such owners notice of a hearing upon the question of such damages, at least ten days before hearing thereon, in the manner in which notice is given by selectmen of a hearing for the assessment of damages for land taken for highways laid out by them; and an appeal may be taken from the decision of said commissioners, in the assessment of such damages, as in the assessment of damages for land taken for a highway laid out by the selectmen.

SECT. 16. The commissioners shall make return of any assessment of damages by them made, within ten days after hearing thereon, to the secretary of state, and the clerk of the superior court in the county in which the land is located; and such assessment or assessments must be made and completed, and return thereof made as before provided, on or before July 1st, 1903.

Return of assessments.

SECT. 17. The commissioners appointed as aforesaid shall act as agents of the state, with authority to make a contract or contracts with the lowest responsible bidder or bidders for the construction of the whole or any part of each section of said road, described in section thirteen (13) of this act, such contract or contracts to be in the names of such agents and subject to the approval of the governor; and such agents shall be authorized and required to superintend the construction of said road and all parts thereof, to ascertain that the same is being constructed and has been completed in accordance with the terms of the contract or contracts therefor. It is provided, however, that the agents thus appointed and commissioned, for the purpose of making contracts for, and superintending the construction of said road, shall be paid such compensation for their services and expenses as the governor and council shall deem just and reasonable. It is further provided that only five thousand dollars (\$5,000) of the amount appropriated under the provisions of section twenty-four (24) of this act for the construction of the roads described in section thirteen (13) of this act shall be employed or expended in the construction of said proposed road between said McCann road in Carroll and said Chase farm in Franconia. It is also further provided that the construction of a highway for the passage of vehicles over said last named section of said route is not authorized or provided for by this act, but this act shall not be so construed as to prevent the construction of a carriage road over said route at the expense of other parties than the state.

Commissioners to contract for and superintend construction; compensation.

SECT. 18. The contract, or contracts, herein authorized shall provide for the construction of a road, (except on the sections between the McCann road and the Chase place), the

Width of road and character of construction.

traveled part of which shall be of suitable width at all points for the convenient passage of teams meeting and going in opposite directions, with thoroughly made road-bed, suitably ballasted for permanent use and wear for all kinds of vehicles which may lawfully be used on the public highways. The work when completed to be to the satisfaction of the governor and the agents appointed as aforesaid and of the state engineer, if one shall be appointed and designated by law for the supervision of this business. Upon satisfactory proof that any section of said highway shall have been completed and approved in the manner aforesaid by the contractor, or contractors, the amount required by the contract is hereby appropriated for the purpose aforesaid, and the governor is authorized to draw his warrant for said sum upon any money in the treasury not otherwise appropriated.

Land damages payable by state.

SECT. 19. The sums awarded to owners of land taken for said road or any part thereof by the commissioners, as aforesaid, shall be paid by the governor by his warrant drawn upon the treasury from any money therein not otherwise appropriated.

Towns not liable to suit or indictment.

SECT. 20. No claim shall accrue, or exist, and no action shall be maintained against any town through which said highway, extending from the base of Mt. Washington to the Chase place in Franconia over the route above described shall pass, nor shall any indictment or information be maintained against any town on account of the condition of said road.

Existing highways may be appropriated.

SECT. 21. Any existing roads and highways now in use as public highways, located in the route selected for the highway aforesaid, may be taken and appropriated for the purposes of sections 13 to 20 of this act both inclusive; but no liability shall thereby be created against the state, or against any town, for such taking and appropriation, and no compensation shall thereby become due or payable to any town, corporation, or natural person having or claiming property, rights, or interests within the limits of such existing roads or ways now in use as public highways.

Indebtedness incurred by Jefferson Notch road commission.

SECT. 22. For the liquidation of the indebtedness of the commission appointed under the provisions of "An act to provide for the survey, location and construction of the Jefferson Notch road, in Jefferson, Low and Burbank's Grant, Crawford's Purchase, and Bean's Purchase," approved March 22, 1901, incurred for moneys actually raised on the personal credit of the members of said commission and actually expended in the construction of said highway, a sum not exceeding four thousand dollars, (\$4,000) or so much thereof as the governor and council may find necessary for the purpose, is hereby appropriated out of any money in the treasury not otherwise appropriated.

SECT. 23. Inasmuch as said highway, now known as the Jefferson Notch road, requires certain additional improvements by widening the traveled parts thereof, by ballasting it with gravel or other appropriate and durable material, and by effecting drainage at numerous places on said highway to obviate damaging and obstructive collections of water in it, so much of the sum appropriated hereinafter by the provisions of sub-section (1) of section twenty-four (24) of this act, as in the opinion of the commission having the business in charge may be necessary for the purposes and uses stated in this section not exceeding ten thousand dollars (\$10,000) may be applied thereto, and said sum shall be expended under the general supervision of the governor and council, by the commission appointed under the provisions of section thirteen (13) of this act, and in the same manner as respects the work required being done by contract by responsible parties upon competitive bids, and as respects all other official acts and operations of said commission on said highway, as required by the foregoing provisions of this act.

Appropriation
for improve-
ment of Jef-
ferson Notch
road.

SECT. 24. Subject to the foregoing provisions and regulations, the following sums shall be, and are hereby appropriated for the construction and repair of the highways as hereinafter specified, viz:—

Specific ap-
propriations
for sundry
highways.

(1) The sum of thirty-two thousand dollars (\$32,000) for the completion of the highway from the Ethan Allen Crawford place in Jefferson to the Crawford House near the White Mountain Notch, known as the Jefferson Notch road; and for the construction of the highways in the town of Carroll described in section thirteen (13) of this act as being between point "A" and point "B," and between point "C" and point "D," all of the four points marked, as aforesaid, by the letters "A," "B," "C," and "D," being in the Portland road, so called; and for making a roadway from the McCann road in the town of Carroll to the Chase place in the town of Franconia, also described in section thirteen (13) of this act.

(2) The sum of eighteen hundred dollars (\$1,800) for the construction, changing, and repairs of the highway in Dixville Notch, in continuation of the same work begun under the provisions of the joint resolution, approved March 21, 1901, (Laws of 1901, page 644).

(3) The sum of fifteen hundred dollars (\$1,500) for the construction of the new hill road, to be a substitute for the existing road leading in the town of Errol to Wentworth's Location, provided other parties shall contribute the sum of one thousand dollars (\$800) for the same purpose.

(4) The sum of two thousand dollars (\$2,000) for the construction and repairs of the Moosilauke road in the town of Woodstock, the said road having been commenced but not completed upon appropriations heretofore made by the state.

(5) The sum of one hundred dollars (\$100) for each of the years 1903 and 1904 for the repairs of the highway recently laid out and built by the state to Forest lake, in the towns of Whitefield and Dalton.

(6) The sum of two hundred and fifty dollars (\$250) for each of the years 1903 and 1904 for the repairs of highways in the town of Dixville.

(7) The sum of seventy-five dollars (\$75) for each of the years 1903 and 1904 for repairs of the highway in the town of Dummer on the west side of the Androscoggin river, thence to the north line of Milan.

(8) The sum of one hundred dollars (\$100) for each of the years 1903 and 1904 for the repairs of the highway on the west side of the Androscoggin river from the house of L. H. Grover, in Errol, to Dummer line.

(9) The sum of six hundred and fifty dollars (\$650) for each of the years 1903 and 1904 for the repairs of the highway in Green's Grant, Martin's Location, and Pinkham's Grant.

(10) The sum of one hundred and fifty dollars (\$150) for each of the years 1903 and 1904 for the repairs of the main road in the town of Randolph.

(11) The sum of one hundred dollars (\$100) for each of the years 1903 and 1904 for the repair of the road between the Diamond ponds in the east part of Stewartstown.

(12) The sum of two hundred dollars (\$200) for each of the years 1903 and 1904 for the repairs of the highway from the Farnsworth place so called to the Second Lake House in the town of Pittsburg.

(13) The sum of three hundred dollars (\$300) for each of the years 1903 and 1904 for the repairs of the road leading from the Crawford House to the Willey House, in the towns of Carroll and Hart's Location.

(14) The sum of two hundred and fifty dollars (\$250) for the repairs of the road leading from the Willey House, in Hart's Location, to the west line of Bartlett, for each of the years 1903 and 1904.

(15) The sum of two hundred dollars (\$200) for each of the years 1903 and 1904 for the repairs of that part of Pinkham Notch road which lies in the town of Jackson.

(16) The sum of fifty dollars (\$50) for each of the years 1903 and 1904 for the repairs of the state road laid out to the lake in the town of Moultonborough.

(17) The sum of fifty dollars (\$50) for each of the years 1903 and 1904, for the repair of the Sugar Loaf road, so called, on the westerly side of Newfound lake, in the town of Alexandria.

(18) The sum of fifty dollars (\$50) for each of the years 1903 and 1904 for the repair of the North and South road, so called, in the town of Benton.

(19) The sum of one hundred and fifty dollars (\$150) for each of the years 1903 and 1904 for the repairs of the roads in the town of Dorchester.

(20) The sum of two hundred and fifty dollars (\$250) for each of the years 1903 and 1904 for the repairs of the Echo Lake and Notch road, leading from the Chase farm to the height of land in Franconia.

(21) The sum of four hundred dollars (\$400) for each of the years 1903 and 1904 for the repairs of the road leading from the height of land in Franconia to the Flume House.

(22) The sum of three hundred and fifty dollars (\$350) for the years 1903 and 1904, for the repairs of the highway leading from North Woodstock to the Flume House.

(23) The sum of fifty dollars (\$50) for each of the years 1903 and 1904 for the repairs of the Brook road in the town of Groton.

(24) The sum of one hundred dollars (\$100) for each of the years 1903 and 1904 for the repairs of the Cardigan Mountain road in the town of Orange.

(25) The sum of fifty dollars (\$50) for each of the years 1903 and 1904 for the repairs of the road in the town of Thornton leading from the Mad River bridge, so called, to the Sandwich town line.

(26) The sum of two hundred and fifty dollars (\$250) for each of the years 1903 and 1904 for the repairs of the highway known as the Warren road, that lies in the town of Woodstock.

(27) The sum of seventy-five dollars (\$75) for the repairs of the highway in Wentworth's Location for each of the years 1903 and 1904.

(28) The sum of one hundred and fifty dollars (\$150) for each of the years 1903 and 1904 for the repairs of the main road leading from Colebrook to Errol Dam, to be expended on that part of the road which is in the town of Millsfield.

(29) The sum of two hundred dollars (\$200) for the repairs of the Nash Stream road in the town of Stratford.

(30) The sum of one hundred dollars (\$100) for each of the years 1903 and 1904 for the repairs of the "Hurricane Mountain" road, so called, leading from Conway to Chatham.

(31) The sum of one hundred and twenty-five dollars for each of the years 1903 and 1904 for the repairs of the Sandwich Notch road in the town of Sandwich.

(32) The sum of one hundred dollars for each of the years 1903 and 1904 for the repairs of the roads in the town of Albany.

(33) The sum of five hundred dollars for the construction of a road from Saco River bridge near A. L. Hall's to the iron bridge near Upper Bartlett *provided* that the town of Bartlett

and other parties shall provide an equal sum for the construction of said road and *provided* that thereafter said roads shall be maintained by said town.

(34) The sum of five hundred dollars for the construction of a road from the terminus of the Tunnel Stream road, so called, in the town of Benton, to the High Street road near Warren line, on condition that the town of Benton and other parties raise and contribute an equal sum for the same purpose.

Compensation of engineers, etc., not chargeable to specific appropriations.

SECT. 25. The amounts required to be paid as compensation for engineers and for construction committees and the amounts required to be paid for damages to owners of lands taken for the new highways aforesaid under the foregoing provisions shall not be taken from the specific appropriations above mentioned but when audited and approved by the governor and council shall be paid out of any money in the treasury not otherwise appropriated upon the warrant of the governor.

Appropriation for road in Rye; commission provided for.

SECT. 26. The sum of twenty thousand dollars is hereby appropriated for the provisions of chapter 89 of the Laws of 1899, and to build that portion of the highway provided for by said act and not heretofore built, as shown by a report of Arthur W. Dudley, civil engineer, to the governor and council, and now on file in the office of the secretary of state, as lies between Odiorne's Point and Jenness Beach in the town of Rye, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated, the same to be expended under the direction of three commissioners to be appointed by the governor, with the advice of the council. The governor and council are hereby authorized to make changes, in the location of said highway in said town of Rye, as may be found to be necessary for a proper and economical construction of the same; and in carrying out the provisions of this section, the governor and council are further authorized to appoint a commission consisting of three persons, whose duty it shall be to make such changes in said highway as by them may be found to be necessary. Said commission shall proceed in the matter, and have all the powers now conferred by law on selectmen of towns, town meetings, or county commissioners, as to the laying out, changing location of and abandoning highways.

Specific appropriations for sundry highways.

SECT. 27. Subject to the foregoing provisions of sections 1 to 12 of this act, both inclusive, so far as applicable to the localities and the subjects mentioned in the following sub-sections, the following-named amounts shall be and are hereby appropriated for the construction and repairs of the highways hereinafter specified, outside of the district named in section 2 of this act, which highways do now, or will when constructed, lead to, or from, public waters, viz:—

- (1) The sum of fifty dollars (\$50) for each of the years 1903 and 1904, for the repairs of the state road to Country pond in the towns of Newton and Kingston.
- (2) The sum of two hundred dollars (\$200) for each of the years 1903 and 1904, for the repairs of the Miller Park state road, so called, in the towns of Temple and Peterborough.
- (3) The sum of five hundred dollars (\$500) for each of the years 1903 and 1904, for the construction and extension of the new Lake Shore road on the west side of Sunapee lake in the town of Sunapee, *provided* that the town of Sunapee shall appropriate an equal sum for the same purpose.
- (4) The sum of one hundred dollars (\$100) to aid the town of New London in the repairs of the Lake Side and Soo Nippi Park highway in the town of New London.
- (5) The sum of two hundred and fifty dollars (\$250) for the construction of the Lake Shore road from Echo Point to Blodgett's Landing on the east side of Sunapee lake in the town of Newbury, *provided* that said town shall appropriate an equal sum for the same purpose.

SECT. 27 [28]. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved March 5, 1903.]

CHAPTER 55.

AN ACT IN RELATION TO REPORTS AND INCREASE OF STOCK AND BONDS
OF CORPORATIONS OWNING STOCK IN RAILWAYS.

SECTION

- 1. Returns to be made to railroad commissioners.
- 2. Existing provisions as to issue of stock and bonds extended.

SECTION

- 3. Repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. All corporations owning a majority of the stock, or operating, under lease or otherwise, railways in this state, shall make returns and furnish information to the board of railroad commissioners as to all their properties and business, and the provisions of the Public Statutes respecting reports and information concerning railroads, including the provisions of sections 18, 19 and 22 of chapter 155 of the Public Statutes, shall be held to apply to all properties and business owned, leased or managed by such corporations, whether used or employed in railway transportation or otherwise.

Returns to be made to railroad commissioners.

Existing provisions extended.

SECT. 2. The provisions of sections 17 and 18 of chapter 27 of the Laws of 1895 and of sections 1 to 4 inclusive of chapter 19 of the Laws of 1897, in relation to the increase and issue of capital stock and bonds, and the authority and duty of the railroad commissioners, in relation to such increase and issue of capital stock and bonds, shall be applicable to and observed by all corporations holding stock as provided in the preceding section.

Repealing clause.

SECT. 3. All acts, or parts of acts, inconsistent with this act are hereby repealed.

[Approved March 7, 1903.]

CHAPTER 56.

AN ACT IN RELATION TO MILK AND BREAD TICKETS.

SECTION

1. Tickets to have detachable coupons.
2. Penalty for second use.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

To have detachable coupons.

SECTION 1. All persons selling tickets for bread, milk or cream shall use some form of coupon ticket which shall be detached by the purchaser as used, or, if single tickets be used, they shall be defaced, punched, or cancelled in some way at the time of sale and shall not be again used as a ticket.

Penalty.

SECT. 2. Any person using such tickets a second time shall be fined ten dollars.

Takes effect on passage.

SECT. 3. This act shall take effect on its passage.

[Approved March 7, 1903.]

CHAPTER 57.

AN ACT PROVIDING FOR THE PURCHASE OF A BOND FOR THE DEPUTY STATE TREASURER.

SECTION 1. Purchase of bond by state authorized.

Be it enacted by the Senate and House of Representatives in General Court convened:

Purchase authorized.

SECTION 1. That the governor be and hereby is authorized to draw his warrant from time to time for such sums as may be necessary, to purchase from a reliable surety company, the bond

required from the deputy state treasurer, and also to reimburse that officer for moneys already paid by him and his predecessor in that office, on that account.

[Approved March 7, 1903.]

CHAPTER 58.

AN ACT TO ENCOURAGE THE USE OF WIDE TIRES ON CERTAIN VEHICLES
CONSTRUCTED BEFORE JANUARY 1, 1900 AND NOW IN USE IN NEW
HAMPSHIRE.

SECTION

1. Tax may be abated if wide tires substituted.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The selectmen of towns and city assessors may when in their opinion it is for the public good, abate a portion of the tax assessed against owners of freight, express and farm wagons, carts, coaches or carriages constructed before January 1st, 1900, which are owned and in use in their city or town for the transportation of goods, wares, merchandise, produce, passengers, or for general farm, freight, and express business, having tires less than three inches in width, *provided* the owner or possessor thereof will change the wheels on said vehicles so that the rims or felloes of the wheels used on a vehicle carrying more than two tons in weight, and less than four tons, shall be at least four inches wide; for carrying more than four tons and less than six tons, so that the rims or felloes shall be at least five inches wide; and for carrying more than six tons the rims or felloes shall be at least six inches wide, *provided* that the abatement shall not exceed five dollars in any one year for each vehicle, the wheels of which are changed as herein provided, no more than fifteen dollars for any one vehicle changed as aforesaid.

Tax may be
abated if wide
tires substituted.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 7, 1903.]

CHAPTER 59.

AN ACT TO AMEND CHAPTER 95 OF THE PUBLIC STATUTES, RELATING TO
NORMAL SCHOOL.

SECTION 1. Annual appropriation of \$25,000.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Annual appro-
priation
\$25,000.

SECTION 1. Section 8 of chapter 95 of the Public Statutes as amended by chapter 51 of the Session Laws of 1901, be amended by striking out the word "fifteen" in the first line and inserting in lieu thereof the word twenty-five, so that said section shall read: SECT. 8. The sum of twenty-five thousand dollars is annually appropriated for the maintenance of the school, to be expended as the trustees shall direct.

[Approved March 7, 1903.]

CHAPTER 60.

AN ACT IN ADDITION TO CHAPTER 153, PUBLIC STATUTES, CREATING
SECTION 20 OF SAID CHAPTER.

SECTION 1. Majority of church proprietors may tax pews for support of public worship.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Taxation of
pews for pub-
lic worship.

SECTION 1. Chapter 153 of the Public Statutes is hereby enlarged by the following new section which shall be section 20 of said chapter: SECT. 20. A majority in interest of the proprietors of a building used as a place of public worship may, by vote at a meeting called according to the regulations of section 10 of this chapter, tax the pews proportionately for the maintenance of public worship and church services in connection with such meeting-house. The amount to be raised and expended for such purpose shall be decided by a majority vote in which the rule of section 13 shall prevail. In the collection of said taxes the rules and regulations of sections 14 and 15 of this chapter shall obtain.

[Approved March 7, 1903.]

CHAPTER 61.

AN ACT TO PROVIDE FOR THE CARE AND SUPPORT OF THE DEPENDENT
INSANE BY THE STATE.

SECTION

- 1. To be cared for by state after January 1, 1909.
- 2. Removal of dependent insane to state hospital.

SECTION

- 3. Transfers to begin January 1, 1905.
- 4. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The state from and after the first day of January 1909, shall have the care, control and treatment of all insane persons who are now cared for by the various counties at the county almshouses; and no county shall hereafter establish any asylum or other additional structure for the care of the insane, nor after said date maintain any institution for the insane, or be liable for the board, treatment, care or act of any insane person.

To be cared for by state.

SECT. 2. From and after the passage of this act, the state board of lunacy may order the removal of all such dependent insane persons to the state hospital for remedial treatment as in their judgment seems proper, and such persons shall be supported at the expense of the state from money in the treasury not otherwise appropriated.

Removal to state hospital.

SECT. 3. After January first, 1905, as rapidly as accommodations can be provided, the state board of lunacy shall begin making transfers from the various county almshouses to the state hospital, of such insane persons as in their judgment seem most suitable, and all such patients, after their removal to the state hospital, shall be maintained therein at the expense of the state. Such transfers shall be made by the state board of lunacy *pro rata* to the population of the several counties.

Transfers to begin, when.

SECT. 4. This act shall take effect upon its passage. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Takes effect on passage; repealing clause.

[Approved March 7, 1903.]

CHAPTER 62.

AN ACT TO PROVIDE FOR A BOUNTY ON HEDGEHOGS.

SECTION

1. Bounty of twenty-five cents each.
2. Account of bounties to be certified to state treasurer.

SECTION

3. Attempt to collect fraudulent bounty; penalty.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Bounty of
twenty-five
cents.

SECTION 1. If any person shall kill a hedgehog within this state and shall produce the head thereof to the selectmen of the town in which it was killed, and shall prove to their satisfaction that such hedgehog was killed by said person, the selectmen of said town shall destroy the head so produced so that it cannot be offered again for bounty, and shall pay the sum of twenty-five cents for each and every hedgehog so destroyed.

Bounties paid
to be certified.

SECT. 2. The selectmen shall keep a true account of all money so paid as bounty under this act and upon presentation of such account, certified by a majority of said board of selectmen to be just and true, to the state treasurer in the months of January and July, the same shall be paid from the state treasury to said selectmen, or upon their written order.

Attempted
fraud; pen-
alty.

SECT. 3. Any person producing to the selectmen of any town in this state for bounty, the head of a hedgehog killed in another state, shall be fined not less than ten dollars (\$10) or thirty days' imprisonment or both, for each head so produced.

Takes effect
on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved March 7, 1903.]

CHAPTER 63.

AN ACT RELATIVE TO THE ENLARGEMENT OF THE STATE LIBRARY BUILDING.

SECTION

1. Committee of five to formulate plans.
2. Duties of committee.

SECTION

3. Appropriation for committee expense.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Committee
provided for.

SECTION 1. His excellency the governor with the advice and consent of the council is hereby authorized to appoint five persons, only three of whom shall belong to the same political party, who shall constitute a committee to formulate a plan for the enlargement of the state library building.

SECT. 2. It shall be the duty of said committee to make a careful examination of the best methods of making an addition to said building, obtaining such expert advice and the making of such plans in the premises as to them may seem necessary, and submit their report to the legislature of 1905. Duties.

SECT. 3. Said committee shall serve without pay for their services, but the legitimate expenses incurred for the employment of experts, the making of plans, and the printing of their report, not exceeding two hundred and fifty dollars, shall be paid out of any money in the treasury not otherwise appropriated. Appropriation.

SECT. 4. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 7, 1903.]

CHAPTER 64.

AN ACT IN AMENDMENT OF SECTIONS 2 AND 3, CHAPTER 42 OF THE PUBLIC STATUTES, RELATING TO GOVERNMENT OF TOWN MEETINGS.

SECTION

1. Appointment of moderator to fill vacancy.
2. Appointment of moderator in case of absence.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out all of sections 2 and 3 and insert in place thereof the following: SECT. 2. In case of vacancy in the office, a moderator shall be appointed by the board of supervisors of check-lists of said town or ward where such board exists or by the selectmen of said town or ward where there is no board of supervisors of check-lists. SECT. 3. If the moderator is absent from any meeting or be unable to perform his duties a moderator *pro tempore* shall be appointed as provided in section 2. Appointment of moderator to fill vacancy.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect on its passage. In case of absence.

[Approved March 7, 1903.]

Repealing clause; act takes effect on passage.

CHAPTER 65.

AN ACT IN AMENDMENT OF CHAPTER 86 OF THE PUBLIC STATUTES, IN
RELATION TO STATE AID TO INDIGENT DEAF AND DUMB, BLIND AND
FEEBLE-MINDED PERSONS.

SECTION

1. Annual appropriation of \$14,000.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Annual appro-
priation of
\$14,000.

SECTION 1. Chapter 86 of the Public Statutes is hereby amended by striking out section 1 and inserting in place thereof the following: SECTION 1. The sum of fourteen thousand dollars is annually appropriated for the support and education of indigent deaf and dumb and indigent blind persons of this state.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1903.]

CHAPTER 66.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF AN
ANNUAL STATE TAX FOR THE TERM OF TWO YEARS.

SECTION 1. Annual state tax of \$300,000.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Annual tax of
\$300,000.

SECTION 1. The sum of three hundred thousand dollars shall be raised annually for the use of the state for the years 1904 and 1905, and the state treasurer is hereby directed seasonably to issue his warrants to the selectmen of the several towns and places, and to the assessors of the several cities in this state, according to the apportionment of the public taxes made at the January session of the legislature in 1903; and the selectmen of such towns and places and the assessors of such cities are hereby directed to assess the sums specified in said warrants and cause the same to be paid to said treasurer on or before the first day of December, 1904 and 1905; and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the dates last above mentioned.

[Approved March 7, 1903.]

CHAPTER 67.

AN ACT IN AMENDMENT OF SECTIONS 4, 5 AND 9 OF CHAPTER 85 OF THE
PUBLIC STATUTES ENTITLED "SUPPORT OF COUNTY PAUPERS."

SECTION

1. Pauper claim of town against county;
when to be presented.
2. Affidavit of pauper or other person;
when to be made.

SECTION

3. Liability of one county for relief furnished by another.
4. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Section 4 of chapter 85 of the Public Statutes is hereby amended by striking out all of said section after the word "presented" in the first line and inserting in the place thereof the words, within thirty days after the expenditures were made, if the county commissioners shall require it, so that said section as amended shall read as follows: SECT. 4. The account and vouchers shall be thus presented within thirty days after the expenditures were made, if the county commissioners shall require it.

Pauper claim
of town
against coun-
ty; when to be
presented.

SECT. 2. Section 5 of said chapter is hereby amended by striking out the word "thirty" in the second line of said section and inserting in the place thereof the word ten, so that said section as amended shall read as follows: SECT. 5. The overseers of the poor shall take and transmit to the county commissioners, within ten days after the expenditures were made, the affidavit of every pauper on whose account they were made, if the pauper is capable, otherwise of some well informed person, as to the pauper's age, place of birth, places of residence, time of residence in each place, and the time when and place where he or any of his family have been relieved or supported.

Affidavit of
pauper, etc.;
when to be
made.

SECT. 3. Section 9 of said chapter is hereby amended by inserting after the words "one year" in the third line the words, within the last five years, and said section is hereby further amended by striking out the words "as soon as practicable" in the seventh and eighth lines of said section and inserting in the place thereof the words, within thirty days, so that said section as amended shall read as follows: SECT. 9. The county which shall have relieved any county pauper within one year, [or in which he shall have last resided not less than one year] within the last five years, shall be liable to the county in which he may afterward be relieved, if he has not resided in the latter county above three months at the time of his first relief, for all sums of money paid for his relief, support, or funeral: *provided* a copy of the affidavit before mentioned shall be forwarded within thirty days to the county commissioners of the county to be charged.

Liability of
one county to
another.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage

[Approved March 7, 1903.]

CHAPTER 68.

AN ACT TO EXEMPT SOLDIERS AND SAILORS OF THE SPANISH-AMERICAN WAR FROM PAYING A POLL TAX.

SECTION

1. Disabled veterans exempted.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption
granted.

SECTION 1. The selectmen in their discretion may exempt any soldier or sailor who served in the Spanish American War, and is disabled in consequence of such service, from paying a poll tax.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1903.]

CHAPTER 69.

AN ACT IN AMENDMENT OF SECTION 128, CHAPTER 59, OF THE LAWS OF 1895, ENTITLED "AN ACT TO REVISE AND AMEND TITLE 13 OF THE PUBLIC STATUTES, RELATING TO MILITIA."

SECTION

1. Powers of commander-in-chief of militia; annual appropriation.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Powers of
commander-
in-chief of mi-
litia; annual
appropria-
tion.

SECTION 1. Amend section 128, chapter 59, Laws of 1895 by striking out the word "thirty" in the sixth line and substituting therefor the word thirty-five, so that said section shall read: SECT. 128. The commander-in-chief is authorized to establish and prescribe such rules, regulations, forms, and precedents as he may deem proper, for the use, government, and instruction of the New Hampshire National Guard; and to carry into full effect the provisions of this title, he is authorized to draw his warrant from time to time for a sum not to exceed thirty-five thousand dollars annually for the expense thereof. He is also hereby authorized to make such changes and alterations in such rules and regulations from time to time as he may deem expedient; but such rules and regulations shall conform to this act, and to those governing the United States army, and shall have the same force and effect as the provisions of this act.

Takes effect
on passage.

SECT. 2. This act to take effect upon its passage.

[Approved March 13, 1903.]

CHAPTER 70.

AN ACT TO PROVIDE FOR THE DAILY PUBLICATION OF THE JOURNALS
OF THE SENATE AND HOUSE OF REPRESENTATIVES.

SECTION

1. Daily legislative journals to be provided.

SECTION

2. Certain existing laws not affected.
3. Repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Five hundred copies of the journals of the senate, and house of representatives, shall be printed in pamphlet form at the close of each legislative day and delivered to the clerks of the respective bodies on the morning of the succeeding legislative day before the session begins. Such journals shall contain all motions, votes, orders, and proceedings but shall not contain any remarks of members or words spoken for or against any pending question. To carry out the provisions of this act the clerks of the respective bodies are empowered to procure such stenographic and other clerical assistance as the president of the senate and speaker of the house of representatives may determine to be necessary, and the governor is authorized to draw his warrant for the payment of the expense for clerical assistance thus incurred out of any money in the treasury not otherwise appropriated.

Daily legislative journals.

SECT. 2. Nothing in this act shall be construed as repealing any clause or section of chapters 4 and 5 of the Public Statutes which relate to the duties of the clerks of the senate and house of representatives and the preparation, printing, and distribution of the journals of those bodies, *provided, however*, that the public printing commission may arrange for the simultaneous publication of the daily journal and the session journal if practicable.

Certain laws not affected.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

[Approved March 13, 1903.]

CHAPTER 71.

AN ACT IN RELATION TO STATE OFFICIALS, COMMISSIONERS, TRUSTEES,
OR OTHER PERSONS HAVING CONTROL OF PUBLIC FUNDS.

SECTION

1. Misapplication of appropriations and excessive expenditure prohibited.
2. Personal liability for violation.

SECTION

3. Offending official to be removed.
4. Not applicable to dissenting officials.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Misapplica-
tion and ex-
cessive expen-
diture prohib-
ited.

SECTION 1. No state official, commissioner, trustee or other person having control of public funds appropriated by the general court shall use any part of such funds for any other purpose than that for which they were appropriated, or expend any money or make any contract or bargain or in any way bind the state in excess of the amount voted by the legislature.

Personal lia-
bility for vio-
lation.

SECT. 2. Any person who violates the provisions of this act individually or as a member of a board shall be held to be personally liable for the amount of the excess expended, contracted or bargained above the appropriation.

Offending
official to be
removed.

SECT. 3. Any commissioner, trustee or agent who shall violate the provisions of this act shall be removed by the governor and his or her successor shall be appointed in conformity to the law providing for filling vacancies in such positions.

Not applica-
ble to dissent-
ing officials.

SECT. 4. Sections 2 and 3 of this act shall not apply to members of boards or commissions who do not aid in, sanction, or assent to its violation by other members of such boards and commissions, and who, when such violations come to their knowledge shall indicate their dissent by entry thereof in the records of the respective boards and commissions or in the office of the secretary of state.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 13, 1903.]

CHAPTER 72.

AN ACT IN AMENDMENT OF CHAPTER 119 OF THE PUBLIC STATUTES,
RELATING TO THE INSPECTION AND LICENSING OF BOATS, THEIR
ENGINEERS AND PILOTS.

SECTION

1. Appointment of inspector and deputies.
2. Tenure of office.

SECTION

3. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Amend section 1 of said act by striking out in the second line of said section the words "or more inspectors" and insert in place thereof the words following, viz: Inspector and three deputies, so that said section as amended will read as follows: SECTION 1. The governor, with the advice of the council, shall appoint one inspector and three deputy inspectors of electric, naphtha, gasoline, or steamboats, whose duty it shall be to inspect all such boats and the boilers and engines thereof, used for the carriage of passengers or freight for hire on any lake, river, or pond in the state not subject to the authority in this respect of the United States inspection laws, or where inspections under such laws are not regularly made.

Appointment
of inspector
and deputies.

SECT. 2. Said chapter 119 of the Public Statutes is hereby further amended by adding thereto a section as follows: SECT. 14. The inspectors and deputy inspectors appointed under the provisions of said act, as hereby amended, shall hold office for a term of two years from the date of the appointment of the inspector, and until their successors are appointed.

Tenure of
office.

SECT. 3. All acts and parts of acts inconsistent with this act, are hereby repealed, and this act shall take effect upon its passage.

Repealing
clause; act
takes effect on
passage.

[Approved March 13, 1903.]

CHAPTER 73.

AN ACT TO AUTHORIZE THE MANAGERS OF THE NEW HAMPSHIRE SOLDIERS' HOME TO PROCURE AN ADEQUATE SUPPLY OF WATER FOR THE USE OF SAID HOME.

SECTION

1. Authority to secure water supply wanted.

SECTION

2. Appropriation of \$3,000.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority
granted.

SECTION 1. The managers of the New Hampshire Soldiers' Home are hereby authorized to take such measures as may seem to them expedient to secure an adequate supply of water for the use of the Home and its members, and for the protection of life and property against fire.

Appropriation
of \$3,000.

SECT. 2. The sum of three thousand dollars (\$3,000) is hereby appropriated out of any money in the treasury not otherwise appropriated, and placed at the disposal of said board of managers for the above-named purpose, and for furnishing hydrants, piping and other appliances for obtaining a water supply at said Home, and that any portion of the appropriation not found necessary to be expended for the above-named purpose, may be used in repairs upon the buildings and for the general purposes of the Home.

Takes effect
on passage.

SECT. 3. This act shall take effect from its passage.

[Approved March 13, 1903.]

CHAPTER 74.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 196 OF THE PUBLIC STATUTES, RELATING TO THE DESCENT OF INTESTATE ESTATES.

SECTION

1. Descent of real estate regulated.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Descent of
real estate.

SECTION 1. That section 1 of chapter 196 of the Public Statutes be and the same hereby is amended by striking out subdivisions II and III thereof, and inserting in place thereof the following:

II. If there be no issue, to the father and mother in equal shares if both are living, and to the father or mother if one of them is deceased.

III. If there be no issue or father or mother, in equal shares to the brothers and sisters or their representatives.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 17, 1903.]

CHAPTER 75.

AN ACT RELATING TO HIGHWAYS AND HIGHWAY AGENTS AND STREET COMMISSIONERS.

SECTION

1. Removal of loose stones from highways.
2. Placing loose stones in highways prohibited.

SECTION

3. Penalty for violation.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Every highway agent and street commissioner in this state shall cause all loose stones lying within the traveled part of every highway in his town or city to be removed at least once in every sixty days from the first of May to the first of October in each year, and stones so removed shall not be left in the gutter nor upon the side of the traveled part of the highway so as to be liable to work back or be brought back into the traveled part thereof for [by] the use of road-machines or other machines used in repairing highways.

Loose stones
to be removed.

SECT. 2. No person shall deposit, throw, or place loose stones in the traveled part of any highway or upon the side thereof, where they may be liable to work back or be brought back into the traveled part thereof by the use of road-machines or other machines used in repairing highways.

Placing loose
stones in
highway pro-
hibited.

SECT. 3. Any agent, street commissioner or other person, who shall violate the provisions of this act, shall be punished by a fine of not more than ten dollars for each offense, which fine shall be paid for the use of the town in which the offense shall be committed.

Penalty.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved March 18, 1903.]

CHAPTER 76.

AN ACT AUTHORIZING THE STATE TREASURER TO TRANSFER CERTAIN
SUMS OF MONEY TO THE LITERARY FUND FOR SCHOOLS.

SECTION

1. Transfer of funds authorized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Transfer
authorized.

SECTION 1. The state treasurer is hereby authorized and empowered to include in the literary fund for schools to be apportioned to the various towns as provided by law for the year 1903 the sum of \$5,566 72-100 which sum represents the amounts collected from certain savings banks of the state on account of delinquent taxes for the year 1900.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 19, 1903.]

CHAPTER 77.

AN ACT TO AMEND SECTION 10, CHAPTER 79 OF THE SESSION LAWS
OF 1901, RELATIVE TO DUTIES OF THE FISH AND GAME COMMIS-
SIONERS.

SECTION 1. To issue pamphlet edition of fish and game laws.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

To issue fish
and game
laws.

SECTION 1. Amend section 10, chapter 79 of the Session Laws of 1901 by adding thereto the words: They shall compile and issue at the close of each session of the legislature a pamphlet edition of the fish and game laws, with the session amendments, suitably indexed, said edition not to exceed ten thousand copies, and a synopsis of such laws printed on cloth not to exceed one thousand copies.

[Approved March 19, 1903.]

CHAPTER 78.

AN ACT FOR THE PROMOTION OF HORTICULTURE.

SECTION

1. Annual appropriation of \$300.
2. Annual account to be rendered.

SECTION

3. Annual report to be made.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The sum of three hundred dollars is hereby annually appropriated for the use of the New Hampshire Horticultural Society, to be expended under the direction of the state board of agriculture in promoting the horticultural interests of the state. Annual appropriation of \$300.

SECT. 2. The society shall annually, in the month of January, render to the governor and council an itemized account of the uses to which the appropriation of the year has been applied. Annual account.

SECT. 3. The secretary and treasurer of the society shall seasonably make to the secretary of the state board of agriculture a report of the transactions of the society, which shall be incorporated in the agricultural report. Annual report.

[Approved March 19, 1903.]

CHAPTER 79.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 3 OF THE LAWS OF 1893, FIXING THE SALARY OF THE CLERK OF THE BOARD OF BANK COMMISSIONERS.

SECTION

1. Annual salary not to exceed \$1,000.
2. Increase applies to quarter ending March 31, 1903.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 1 of chapter 3 of the Laws of 1893 be amended by striking out the words "seven hundred and fifty" in the third line thereof and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows: SECTION 1. The board of bank commissioners may employ a clerk in their office at a compensation not exceeding one thousand dollars per annum, to be paid from the state treasury. Annual salary not to exceed \$1,000.

When appli-
cable.

SECT. 2. This act shall apply to the quarter ending March 31, 1903.

Takes effect
on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 19, 1903.]

CHAPTER 80.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 162 OF THE PUBLIC STATUTES, FIXING THE SALARIES OF THE MEMBERS OF THE BOARD OF BANK COMMISSIONERS.

SECTION

1. Annual salaries to be \$2,500 each.
2. Increase applies to quarter ending March 31, 1903.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual salary
\$2,500 each.

SECTION 1. That section 4 of chapter 162 of the Public Statutes be amended by striking out the words "two thousand" in the second line of said section and inserting in place thereof twenty-five hundred, so that said section as amended shall read as follows: SECT. 1 [4]. The annual salary of the members of the board shall be twenty-five hundred dollars each, payable quarterly from the treasury of the state. They shall be allowed in addition their actual traveling expenses incurred while making the examinations required by law. Their bills for such expenses shall be audited by the governor and council.

When appli-
cable.

SECT. 2. This act shall apply to the quarter ending March 31, 1903.

Takes effect
on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 19, 1903.]

CHAPTER 81.

AN ACT IN AMENDMENT OF PUBLIC STATUTES, CHAPTER 81, SECTION 2,
RELATING TO TELEGRAPH, TELEPHONE AND ELECTRIC LIGHT COM-
PANIES.

SECTION

1. Town and city officers to locate
wires, etc.; mayor and aldermen
may delegate power.

SECTION

2. Repealing clause; act takes effect on
passage; not in force where.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Public Statutes, chapter 81, section 2, is hereby amended by adding at the end of said section the following: The boards of mayor and aldermen in cities are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint, so that said section as amended shall read as follows: SECT. 2. Such person or corporation shall petition the selectmen of the town through which the line will pass to locate the route thereof and grant a license therefor. The selectmen may grant a license for such time as they deem expedient, may from time to time change the terms and conditions thereof, and may revoke it whenever the public good requires. They shall fix and state therein the size and location of such poles and structures, the distances between them, the number of wires to be used, and their distance above or below the surface of the highway. The boards of mayor and aldermen in cities are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

Location of
wires; mayor
and aldermen
may delegate
authority.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage, *provided*, that the provisions of this act shall not apply to any city in which special laws relating to the subject matter of this bill are now in force.

Repealing
clause; act
takes effect
on passage;
not in force,
where.

[Approved March 20, 1903.]

CHAPTER 82.

AN ACT IN AMENDMENT OF SECTION 56, CHAPTER 79 OF THE LAWS OF 1901, RELATING TO FISH AND GAME.

SECTION 1. Lake trout and land-locked salmon protected in Winnepesaukee and Winnisquam lakes.

Be it enacted by the Senate and House of Representatives in General Court convened:

Lake trout
and land-
locked salmon
protected.

SECTION 1. Amend by adding to section 56, chapter 79 of the Laws of 1901, relating to fish and game, the words, except that it shall be unlawful to take from the waters of Lakes Winnepesaukee and Winnisquam any lake trout or land-locked salmon between the fifteenth day of June in any year and the first day of January next following.

[Approved March 24, 1903.]

CHAPTER 83.

AN ACT IN AMENDMENT OF CHAPTER 107 OF THE SESSION LAWS OF 1901, RELATING TO THE INSPECTION OF MILK.

SECTION

1. Penalty for unlicensed sale; one selling product of his own cows exempt.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Penalty for
unlicensed
sale; exemp-
tion.

SECTION 1. That section 4 of chapter 107 of the Laws of 1901 be amended as follows: by adding at the end of said section the words, *provided however*, that any person selling only the product of his own cows shall be exempt from paying any fee for such license, so that said section as amended shall read: SECT. 4. Whoever goes about in carriages or makes a business of selling milk, skim-milk or cream, in any such city or town, or offering for sale, or having in his possession with intent to sell, milk, skim-milk, or cream, unless a license has first been obtained as provided in the preceding sections, shall be fined not more than ten dollars for the first offense; and for any subsequent offense he shall be fined fifty dollars, or be imprisoned not more than sixty days, or both; *provided however*, that any person selling only the product of his own cows shall be exempt from paying any fee for such license.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 84.

AN ACT IN AMENDMENT OF SECTION 17 OF CHAPTER 285 OF THE PUBLIC
STATUTES, RELATING TO THE STATE PRISON.

SECTION

1. Clothes and money furnished to dis-
-
- charged convicts.

SECTION

- 2 Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That section 17 of chapter 285 of the Public Statutes be amended by striking out the word "three" and inserting in place thereof the word ten, so that said section as amended shall read as follows: SECT. 17. The warden may furnish, at the expense of the state, to each convict discharged from the prison, a suit of clothes, decent and suitable for the season in which he is discharged, and a sum of money not exceeding ten dollars.

Clothes and
money to dis-
charged con-
victs.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 24, 1903.]

CHAPTER 85.

AN ACT IN AMENDMENT OF SECTION 59, CHAPTER 79 OF THE SES-
SION LAWS OF 1901, RELATING TO THE TAKING OF BLACK BASS.

SECTION

1. Pike perch, white perch, and black
-
- bass protected; penalty.

SECTION

2. Repealing clause; act takes effect on
-
- passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. If any person shall take or kill any pike perch or white perch, in any of the waters of this state, except tide waters, during the months of May and June in any year, or black bass during the month of May, he shall be fined ten dollars (\$10) for each fish so taken or killed, or be imprisoned sixty days, or both.

Pike perch,
white perch
and black bass
protected;
penalty.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed. This act shall take effect upon its pas-
sage.

Repealing
clause; act
takes effect
on passage

[Approved March 24, 1903.]

CHAPTER 86.

AN ACT TO AMEND SECTION 1 OF CHAPTER 46, SESSION LAWS OF 1895,
RELATING TO ANNUAL ENUMERATION OF SCHOOL CHILDREN.

SECTION

1. Annual enumeration and report by
truant officers.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Annual enumeration by
truant officers.

SECTION 1. Amend section 1 of chapter 46 Session Laws of 1895 by striking out the word "April" in the third line of section 1, and inserting the word October in its place, so that said section as amended shall read as follows: SECTION 1. Truant officers or agents appointed by school boards of cities and towns shall annually, in the month of October, make an enumeration of the children of each sex, between the ages of five and sixteen years, in their town or city, giving such items in regard to each child as may be required by the school board or the state superintendent of public instruction, and shall make a report to the school board thereof within fifteen days after the completion.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 87.

AN ACT TO REQUIRE NON-RESIDENTS TO SECURE A LICENSE BEFORE HUNTING DEER WITHIN THE STATE OF NEW HAMPSHIRE, AND PROVIDING PENALTIES FOR VIOLATION OF ITS PROVISIONS.

SECTION

1. Non-residents not to hunt deer without license; penalty.
2. License to bear signature of licensee; exhibition of license.
3. Meaning of word "resident."
4. Issuance of licenses; facts to be stated therein.

SECTION

5. Person failing to exhibit license or give name liable to arrest.
6. License fees; application of funds.
7. Laws relating to Blue Mountain Forest Association not affected; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Non-residents
to procure
license; penalty.

SECTION 1. If any person not a resident of New Hampshire, shall at any time or in any manner engage in hunting wild deer in this state, or shall within the limits of the state, capture or kill any such animal, without having first procured of the fish and game commissioners a license to so hunt, capture or

kill, as hereinafter provided he shall be for each offense fined one hundred dollars and costs of prosecution, or be imprisoned sixty days, or both, and the same penalties shall be imposed upon any non-resident who shall be convicted of hunting or killing deer on a license which has been issued in the name of some other person.

SECT. 2. No license shall be valid unless the signature of the person to whom it is issued is written thereon, and every such person shall at all times when hunting carry his license on his person, and shall at all reasonable times and as often as requested produce and show such license to any person requesting him so to do, and if he fails or refuses to do so he shall forfeit such license and be deemed to be hunting in violation of the provisions of this act.

License to bear signature of licensee; exhibition of license.

SECT. 3. For purposes of this act, the term resident shall be construed to mean a citizen of this state, or a citizen of any other state, who owns real estate, to the assessed value of not less than five hundred dollars (\$500) within this state.

Meaning of "resident."

SECT. 4. The fish and game commissioners may, upon application therefor, issue licenses to non-residents, which licenses shall entitle the holders thereof to the same privileges which are enjoyed by residents of the state, as to the hunting and taking of deer and kindred animals. Such license shall be recorded in detail in books kept for that purpose and shall not be transferable, nor available to any other person than the one named therein, shall be in force only during the calendar year in which they are issued and dated and shall plainly set forth in what portions of the state, and during what portion of the year, the privileges granted by the license may be taken advantage of; they shall further state the number of animals the holder of a license above provided for may capture or kill which number shall not exceed in any instance the number any individual resident of the state may kill under the general law. Said licenses shall further include the name, age, residence and place of business of the applicant, and shall be exposed for examination upon demand by any of the fish and game commissioners or their detectives.

Issuance of licenses; facts to be stated.

SECT. 5. The fish and game commissioners and their detectives shall have the right, after demand and refusal or failure to exhibit such license, to arrest without warrant any non-resident person or persons found hunting, killing, capturing or destroying deer, and for the purpose of this arrest any person who shall refuse to state his name and place of residence upon demand of such officer shall be deemed a non-resident.

Liability to arrest if license not exhibited.

SECT. 6. The fee for the license provided for in the preceding sections of this act, shall be ten dollars, the money received by the commissioners for the issuance thereof, shall be turned over to the state treasurer, who shall credit the same to the

License fees; how applied.

detective fund so called to be expended as otherwise provided for by law and under the same supervision as any other moneys belonging to the said fund.

Blue Mt.
Forest Ass'n
not affected;
act takes
effect on pas-
sage.

SECT. 7. Nothing in this act shall be construed to repeal or affect existing legislation relating to the Blue Mountain Forest Association; and this act shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 88.

AN ACT IN AMENDMENT OF SECTION 13, CHAPTER 27 OF THE PAMPHLET LAWS OF 1895, RELATING TO STREET RAILWAYS.

SECTION

1. Crossing of steam railroad tracks by street railways regulated.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Crossing of
steam rail-
road tracks
by street
railways
regulated.

SECTION 1. That section 13, chapter 27, of the Pamphlet Laws of 1895 be, and is hereby amended, by inserting the words, unless otherwise ordered by the railroad commissioners, in the eleventh line of said section after the word "cases," so that as amended said section 13 shall read as follows: SECT. 13. No street railway company shall lay its tracks across the track of a steam railroad, and no steam railroad shall lay its tracks across the tracks of a street railway, without the consent in writing of the board of railroad commissioners; and when the crossing is made at grade, said commissioners shall make such orders, rules, and regulations for the protection of all persons from injury at such crossings as they may deem sufficient and necessary. All expense incurred in providing and maintaining such suitable protection of all persons at said crossings shall be apportioned by the board of railroad commissioners between the two roads as they may deem just; and in all cases, unless otherwise ordered by the railroad commissioners, when a street railway crosses a steam railroad at grade, every driver of a car upon the street railway shall, when approaching the point of intersection, stop his car not more than seventy-five feet and not less than twenty feet from the crossing, and before attempting to cross carefully examine for approaching trains on the steam railroad, and shall not proceed to cross until it is ascertained that no trains are approaching and that the street railway

car may cross with safety. The board of railroad commissioners may from time to time change and modify such orders, rules, and regulations as the public safety and convenience may require. Whenever a crossing of the tracks of a steam railroad is to be made by a street railway otherwise than at grade, and the means existing therefor, by bridge or otherwise, at the time said crossing is authorized by said board of railroad commissioners, are not sufficient for the safe and proper operation of said street railway and any alterations therein are made necessary thereby, the expense of making such alterations shall be borne by the railroad or railway at whose request and for whose benefit they are made; and whenever such street railway shall pass over any bridge upon its route, and alterations are thereby made necessary for the safety and convenience of travelers, the expense of such alterations thereon shall be borne by the railway. In case of any disagreement as to the necessity and extent of such alterations, the same shall be determined by the railroad commissioners, whose decision shall be final.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 24, 1903.]

CHAPTER 89.

AN ACT ANNEXING CERTAIN ISLANDS IN LAKE WINNIPESAUKEE TO THE TOWN OF TUFTONBOROUGH.

SECTION

1. Certain islands annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the island, known as Store island near Blaisdell camp, and the islands known as Echo, Loon, Birch and Squirrel, all situate in Lake Winnepesaukee and southeasterly of Cow island and immediately adjacent to the shore line of said lake, in the town of Tuftonborough, county of Carroll, be and are hereby annexed to said town.

Certain
islands
annexed.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 25, 1903.]

CHAPTER 90.

AN ACT RELATING TO THE SALARY OF THE JUDGE OF PROBATE OF THE
COUNTY OF CARROLL.

SECTION

1. Annual salary to be \$700; repealing
-
- clause.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Annual salary
\$700; repeal-
ing clause.SECTION 1. That the salary of the judge of probate for the
county of Carroll shall hereafter be seven hundred dollars per
annum, payable as now provided by law; and so much of sec-
tion 14 of chapter 286 of the Public Statutes as is inconsistent
with this act is hereby repealed.Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 25, 1903.]

CHAPTER 91.

AN ACT IN AMENDMENT OF SECTION 13, CHAPTER 59, LAWS OF 1895,
RELATING TO THE BOND OF THE ADJUTANT-GENERAL.

SECTION

1. Bond to be in sum of \$5,000.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Bond to be
\$5,000.SECTION 1. That section 13, chapter 59, of the Laws of
1895, be amended by striking out the words "twenty thousand"
in the second line of said section and inserting in place thereof
the words five thousand, so that said section as amended shall
read: SECT. 13. The adjutant-general shall give bond to the
state in the sum of five thousand dollars, with sufficient sureties,
to be approved by the governor, with advice and consent of the
council, conditioned for the faithful performance of the duties
and trusts of his office.Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 25, 1903.]

CHAPTER 92.

AN ACT FIXING OFFICE HOURS IN STATE OFFICES.

SECTION

1. Closed on holidays and Saturday afternoons.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. All state offices and departments may be closed on legal holidays and on Saturday afternoons throughout the year, if not incompatible with public business.

Closed holidays and Saturday afternoons.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed. This act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved March 25, 1903.]

CHAPTER 93.

AN ACT RELATING TO THE TIME REQUIRED FOR FILING NOTICE OF INTENTION OF MARRIAGE.

SECTION

1. Non-resident to give five days' notice.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The notice of intention of marriage required by sections 5 and 6 of chapter 174 of the Public Statutes shall in case either of the parties is a non-resident of this state be filed five days before the clerk shall issue a certificate setting forth the facts as required by said sections.

Five days' notice by non-resident.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 27, 1903.]

CHAPTER 94.

AN ACT IN AMENDMENT OF SECTIONS 7 AND 10, CHAPTER 27, LAWS OF 1895, RELATING TO STREET RAILWAYS.

SECTION

1. Supervision and regulation of railways in public highway; right of appeal.
2. Street railways to keep highways in repair; penalty for neglect.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Supervision and regulation of railways in public highway; right of appeal.

SECTION 1. Section 7 of chapter 27, Laws of 1895 is hereby amended by striking out the word "and" after the word "switches" in the ninth line of said section and inserting after the word "highway" in said line the words, and the care of such highway, so that said section as amended shall read: SECT. 7. The boards of mayor and aldermen of cities and selectmen of towns, respectively, may designate the quality and kind of materials to be used in the construction of said railway and any part thereof, and may from time to time make such reasonable orders, rules, and regulations with reference to that portion of the street railway occupying the public highway, as to rate of speed, the manner of operating the railway, the kind of motive power that may be used, the reconstruction of tracks, poles, wires, switches, turnouts within any highway, and the care of such highway, in their respective cities or towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established shall be forthwith recorded in the records of said respective cities and towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established, to the board of railroad commissioners who shall, upon notice, hear the parties, and finally determine the questions raised by said appeal.

Street railways to keep highways in repair; penalty.

SECT. 2. Section 10 of chapter 27, Laws of 1895 is hereby amended by inserting in the eighth line of said section after the word "tracks" the words, and every street railway neglecting to comply with any of the requirements named in this section shall, after due notice from the person having charge of the streets, forfeit to the use of the city or town the sum of fifty dollars for each day during such neglect, so that said section as amended shall read: SECT. 10. Every street railway shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, subject to an appeal to the selectmen, the paving, upper planking, or other surface material of the portions of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the high-

way for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and every street railway neglecting to comply with any of the requirements named in this section shall, after due notice from the person having charge of the streets, forfeit to the use of the city or town the sum of fifty dollars for each day during such neglect, and shall be liable for any damage, loss, or injury, that any person not in its employ may sustain by reason of the carelessness negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act takes effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved March 25, 1903.]

CHAPTER 95.

AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR.

SECTION

1. Meaning of words "liquor" and "person."
2. Board of license commissioners created; tenure of office; compensation; to give bonds; records and report.
3. Board to have offices in Concord.
4. Board may employ necessary clerks.
5. Special agents; appointment and duties.
6. Classes of licenses; serving liquor at tables; sale of cider; expiration of licenses.
7. Fees for licenses of various classes.
8. Certain persons not to receive licenses; fee to be deposited and bond filed.
9. Building within two hundred feet of church or schoolhouse not to be licensed.
10. Bond of clerk and treasurer of board; disposition of fees collected; records to be open to inspection of certain officers; audit of accounts.
11. Transfer of licenses to other premises.
12. Transfer of licenses to other persons.
13. Surrender of license by administrator, etc.; rebate.
14. Revocation of licenses.
15. Sales of liquor to certain persons prohibited.
16. Hours and days of sale regulated.
17. Sale of adulterated liquor prohibited; liquor not to be served by female or person convicted of felony; doors to be closed at times when sale forbidden; use of screens, etc., prohibited; view of room to be unobstructed.

SECTION

18. No recovery for liquor sold to be drunk on premises; penalty for taking security for debt.
19. Town and city officers may order licensees not to sell, when; penalty for violation.
20. Certain licenses not to be exercised in dwelling-house.
21. Certain persons may enter upon premises to inspect; samples of liquor may be taken; penalty for adulteration.
22. Sales by druggists regulated.
23. Druggists to keep record of sales; form of record and certificate.
24. Books, certificates, etc., open to inspection.
25. Fraudulent certificate or prescription; penalty.
26. Fraudulent druggist's license; penalty for sale under.
27. Notice not to sell to habitual drunkard; civil liability for sale after notice.
28. Regulations under first-class licenses to be prescribed by board; penalty for violation.
29. What deemed *prima facie* evidence of sale.
30. False statements in application for license.
31. Acceptance of license provisions by popular vote; sense of voters to be taken, when and how; result to be certified to board.
32. Increase of license fee by town or city.
33. Violations in license town; penalty.
34. Clerk of board to furnish to cities and towns lists of licenses therein.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Meaning of
words "liquor"
and "person."

SECTION 1. The term "liquor" as used in this act includes and means all distilled and rectified spirits, wines, fermented and malt liquors; and the word "person" shall include firms, associations, co-partnerships, and corporations.

License com-
missioners;
tenure of of-
fice; compen-
sation; bonds
of; records
and report.

SECT. 2. Within ten days from the passage of this act, the governor, with the advice and consent of the council, shall appoint a state board of license commissioners consisting of three members, not more than two of whom shall belong to the same political party, who shall hold office for the term of two, four and six years, respectively, the length of the term of each to be fixed in his commission, and each shall continue in office until his successor has been appointed and qualified. Thereafter, beginning in the year 1905, one member of said board shall be appointed in the month of May of each alternate year for a term of six years from the first Monday in June next ensuing. If a vacancy shall occur in said board it shall be filled for the residue of the term. The chairman and clerk and treasurer of the board shall be appointed and commissioned as such; and the annual salary of said chairman and said clerk and treasurer shall be twenty-five hundred dollars each, and that of the other member twenty-four hundred dollars. No member of said board shall be directly or indirectly interested in the liquor business. The members of said board shall each execute and file with the secretary of state a bond to the people of the state in the sum of ten thousand dollars aside from the treasurer who shall furnish a bond for fifty thousand dollars, with sureties approved by the governor and council, conditioned for the faithful performance of duty. Said board shall keep a record of their doings and hearings, and shall make an annual report to the governor and council on or before the second Monday in each calendar year, which shall contain such statements, facts and explanations as will disclose the actual workings of this act and its bearings upon the welfare of the state, including a statement of all receipts collected under this act and all expenses incurred, and also such suggestions as to the general policy of the state and such amendments of this act as said license commissioners deem appropriate. Said board of license commissioners may be made a party to all acts and proceedings under this act. From all other parties to such actions and proceedings they shall be entitled to due notice of the proceedings therein, and shall be duly served with copies of all papers bearing thereon. Any or all of the members of said board may be removed by the governor and council on good cause shown.

SECT. 3. Said board of license commissioners shall be provided with suitable rooms for offices in the city of Concord. Offices in Concord.

SECT. 4. Said board of license commissioners, with the approval of the governor and council, are hereby authorized and empowered to employ such clerks as are, in their opinion, necessary for the proper transaction of the business of their office and to fix their compensation. To employ necessary clerks.

SECT. 5. Said board of license commissioners, with the approval of the governor and council, may appoint one or more special agents and fix their compensation. It shall be the duty of said special agents, under the direction of the board of license commissioners, to investigate all matters relating to the collection of license fees or penalties under this act, and in relation to compliance with law by persons holding licenses under the terms of this act. Said special agents may be removed by the board of license commissioners. Any commissioner or special agent may enter any place where liquor is sold, at any time, and may examine any license certificate issued or purporting to have been issued under the terms of this act. He may investigate any other matters in connection with the sale of liquor, and shall make complaints for violations of this act. Special agents; appointment and duties.

SECT. 6. Licenses shall be of the following classes: Classes of licenses.

First class.—To sell liquor of any kind, to be drunk on the premises, to be issued only to innholders. First.

Second class.—To sell liquor of any kind in quantities less than five gallons to one person at one time. Second.

Third class.—To sell liquor of any kind not to be drunk on the premises. Third.

Fourth class.—To sell malt liquors, cider or light wines, containing not more than fifteen per cent. of alcohol, to be drunk on the premises. Fourth.

Fifth class.—For retail druggists and apothecaries to sell liquor of any kind for medicinal, mechanical, chemical and sacramental purposes only, and for dealers in hardware, paints and decorating materials to sell alcohol for mechanical and chemical uses only, the same to be sold in accordance with the provisions of this act. Fifth.

Sixth class.—To sell malt liquor, cider or light wines to be drunk on the premises, to be issued only to keepers of railroad restaurants. Sixth.

Seventh class.—To sell liquor of any kind to be drunk on the premises, to be issued only to associations, as provided in sub-division 7 of section 8, in the discretion of the board of license commissioners. Seventh.

Eighth class.—To distillers, brewers and bottlers to sell their product in packages for shipment or distribution to the trade. Eighth.

No licensee of the first, second or fourth class shall serve any liquor at a table or tables in any room where the exclusive Serving liquor at tables.

or principal business carried on is the sale of liquor. Each license of the first four classes shall specify the room or rooms in which liquor shall be kept or sold, and no liquor shall be kept or sold in any room or part of a building not so specified.

Sale of cider. No license shall be required for the sale of cider in greater quantities than ten gallons, or by the manufacturer at the press or in an unfermented state.

Expiration of licenses. All licenses granted prior to May 1, 1904, shall expire on that date, all licenses after May 1, 1904, shall expire May 1 of the following year, and all licensees shall pay for the time from date of issue to the first day of the May following.

License fees. SECT. 7. Fees for licenses shall be as follows:

First class,
\$25 to \$1,000.

Hotel regula-
tions in no-
license towns.

First class.—Not more than \$1,000 nor less than \$25 per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee and restrict, define and limit each license of the first class in their discretion, *provided, however*, no licensee of the first class, in a no-license city or town shall sell or serve liquor except to *bona fide* registered guests who have resorted to his hotel for food or lodging. Such licensee shall not sell liquor to any resident of the city or town in which his hotel is situated neither shall he maintain or keep a barroom or bar at which liquor is sold.

Second class,
\$250 to \$1,200.

Second class.—In cities having a population of forty thousand or over, twelve hundred dollars.

In cities having a population of from eighteen thousand to forty thousand, eight hundred dollars.

In cities having a population of from ten thousand to eighteen thousand, six hundred dollars.

In cities having a population of under ten thousand, four hundred dollars.

In towns whose population exceeds twenty-five hundred, three hundred dollars.

In all other towns, two hundred and fifty dollars.

Third class,
\$100 to \$800.

Third class.—In cities of over forty thousand people, eight hundred dollars.

In cities having between eighteen thousand and forty thousand people, six hundred dollars.

In cities having between ten and eighteen thousand people, three hundred dollars.

In cities having a population of less than ten thousand, two hundred dollars.

In towns whose population exceeds twenty-five hundred, one hundred and fifty dollars.

In all other towns, one hundred dollars.

Fourth class,
\$150 to \$600.

Fourth class.—In cities of over forty thousand people, six hundred dollars.

In cities of from eighteen thousand to forty thousand, five hundred dollars.

In cities of from ten thousand to eighteen thousand people, four hundred dollars.

In cities having less than ten thousand people, two hundred and fifty dollars.

In towns whose population exceeds twenty-five hundred, two hundred dollars.

In all other towns, one hundred and fifty dollars.

Fifth class.—Ten dollars per year.

Fifth class,
\$10 per year.

Sixth class.—Not more than two hundred nor less than fifty dollars per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee for each license of the sixth class in their discretion.

Sixth class,
\$50 to \$200.

Seventh class.—Not more than three hundred dollars nor less than one hundred dollars per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee for each license of the seventh class in their discretion.

Seventh class,
\$100 to \$300.

Eighth class.—Not more than \$2,000 nor less than \$300 per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee for each license of the eighth class, in their discretion, having regard to the quantity of product.

Eighth class,
\$300 to \$2,000.

SECT. 8. No person shall receive a license under the provisions of this act

Certain persons not to receive licenses.

1. Who has been or shall be convicted of a felony, or knowingly has in his employ a person who has been so convicted;

2. Who is under the age of twenty-five years;

3. Who is not a citizen of the United States, and a resident of the state of New Hampshire and of the town or city or the adjoining town or city within which he desires to carry on the liquor business, for one year last prior to the filing of his application;

4. Who shall be convicted of a violation of this act, until three years from the date of such conviction;

5. Whose agent or employee shall be twice convicted of a violation of this act, until five years from the date of the second conviction;

6. No co-partnership, unless one or more of the members of such co-partnership, owning at least one-half interest in the business thereof, shall be a resident of this state and a citizen of the United States;

7. No corporation or association hereafter organized under chapter 147, Public Statutes, and the acts amendatory thereof, unless the same shall be equipped to furnish food and lodging to its members;

8. No person who, as owner or agent, shall suffer or permit any gambling to be done in the place designated by the license as that in which the traffic in liquor is to be carried on, or in

any other place appertaining thereto or connected therewith, or suffer or permit such premises to become disorderly, or carry on or permit to be carried on, or is interested in any traffic, business or occupation, the carrying on of which is a violation of law.

Applicant to deposit amount of fee and file bond.

9. All applicants for a license in classes in which the fee is definite in this act shall deposit with said board the full amount of the license fee with the application and in classes in which said board has a discretion as to the amount of the fee such sum as said board shall direct. In case the license is denied the amount so paid shall be refunded. All applications shall be in form prescribed by said board. No person who shall not, within ten days from the receipt of notice from said board of the granting of his application for a license, file with said board a bond in the sum of double the amount of the license fee paid by him *provided however*, no bond shall be accepted for a less amount than five hundred dollars, satisfactory to said board, conditioned upon constant adherence to the terms of said license and the provisions of this act, and recoverable in an action of debt to be brought by county solicitors upon complaint of said board shall be given such license.

Building within 200 feet of church or schoolhouse not to be licensed.

SECT. 9. No license shall be granted for the traffic in liquor in any building which shall be on the same street or avenue within two hundred feet of a building occupied exclusively as a church or a schoolhouse, the measurements to be taken in a straight line from the center of the nearest entrance to the building used for such church or school to the center of the nearest entrance to the place in which the traffic in liquor is desired to be carried on, or in any location where the traffic shall be deemed by said board of license commissioners detrimental to the public welfare, *provided*, that this restriction shall not apply to hotels or drug stores used as such on the first day of January, 1903.

Bond of clerk and treasurer of board; disposition of fees; records open for inspection; audit of accounts.

SECT. 10. The clerk of the state board of license commissioners shall be also the treasurer of the board, and as such treasurer he shall file with the secretary of state a bond of an indemnity company licensed to do business in this state in the sum of fifty thousand dollars, the cost of which shall be chargeable to the expense of maintaining the office of the board, and conditioned for the faithful accounting of fees collected and forfeitures incurred under the provisions of this act. All such fees and forfeitures shall be paid to the treasurer of said board, who shall, annually, in the month of July, pay one half of the sum so received to the treasurer of the said city or town where the license was granted, and one half to the treasurer of the county in which said city or town is located, first, however, deducting the entire cost of maintaining the office of said board, including all salaries and all expenses attaching to the perform-

ance of their duties ; also the sum of one thousand dollars, or as much thereof as may be needed to pay the necessary expenses of the state laboratory of hygiene incurred under the provisions of this act, and all expenditures shall be audited by the governor and council. All moneys derived from fees and forfeitures in places where no town organization exists shall be paid to the treasurer of the county in which such place is located. The annual report of said board shall contain a statement by the treasurer of the board of the source from which all moneys received by him were derived, the names of licensees and the classes of licenses, and the street and number in each city or town, when possible, where the licenses are exercised. The records of the state board of license commissioners and all applications for licenses shall be open at all times to the inspection of selectmen, mayors, police officers, prosecuting officers, sheriffs and overseers of the poor. The accounts of the treasurer of the board shall be audited at such times and by such persons as the governor and council may direct, and the expense of such auditing shall be chargeable to the expense of maintaining the office of the license commissioners.

SECT. 11. If any person holding a license shall desire to transfer to and carry on such business for which the license was issued, in other premises than those designated in the original application and in the license, but in the same city or town and in premises where the traffic in liquor is not forbidden by this act, upon the making and filing of a new application and bond in the form and in the manner provided for the original application and bond, said board shall write or stamp, over its signature, across the face of the license, the words, "The traffic in liquor permitted to be carried on under this license is hereby transferred from ——— to ———."

Transfer of
licenses to
other premi-
ses.

SECT. 12. The person to whom a license is issued, except a pharmacist, may sell, assign, and transfer such license during the time for which it was granted to any other person not forbidden to traffic in liquor under the terms of this act, who may thereupon carry on the business for which such license was issued, upon the terms prescribed by it, if such traffic is not prohibited by any of the terms of this act, during the balance of the term of such license, with the same liabilities as the original owner thereof, upon the making and filing of a new application and bond by the purchaser, in the form and manner provided for the original application and bond, and the presentation of the license to said board, who shall write or stamp across its face the words, "Consent is hereby given for the transfer of this license to ———;" *provided, however,* that no such sale, transfer or assignment shall be made except in accordance with the terms of this act. For each endorsement under the terms of section 11 or this section of this act,

Transfer of
licenses to
other persons.

the applicant shall pay the sum of ten dollars, which sum shall be accounted for in the same manner as the original license fees.

Surrender of
license by ad-
ministrator,
etc.; rebate.

SECT. 13. If a person holding a license under the provisions of this act shall die his heirs, executors or administrators may surrender said license to said board, *provided* that said license shall have at least one month to run, computed from the first day of the month following such surrender; and said license commissioners shall thereupon compute the amount of rebate then due upon such surrendered license for the unexpired term thereof, and the treasurer of said board shall immediately pay back said sum to the person authorized to receive it and shall credit himself with the amount so paid back.

Revocation
of licenses.

SECT. 14. At any time after a license has been issued to any person, the same may be revoked and cancelled by said board, if any material statement in the application of the holder of the same was false, or if any provision of this act is violated at the place designated in the said license by the holder of the same, or by his agents, servants, or any person whomsoever in charge of said premises. But before any license is revoked or cancelled, the holder shall be entitled to a hearing by said board, and to five days' previous notice thereof in writing, except that licenses of the first class may be revoked at any time, by said board, with or without notice, in their discretion.

Sale of liquor
to certain
persons
prohibited.

SECT. 15. No person shall sell, deliver, or give away, or cause or permit or procure to be sold, delivered or given away, any liquor

First, to a minor, nor to a minor for any other person;

Second, to an intoxicated person;

Third, to an habitual drunkard;

Fourth, to any person where notice in writing has been given forbidding sale to such person from the parent, guardian, husband, or wife of such person, or by any magistrate or overseer of the poor of a town or city, or by any prosecuting attorney, or by any county commissioner, or by a selectman.

SECT. 16. No licensee except the holder of a license of the first, fifth or seventh class shall sell, furnish, or expose for sale, or give away any liquor

First, on Sunday;

Second, on any other day except between the hours of six in the morning and ten at night; unless the town or board of mayor and aldermen of the city where such licensee carries on business shall extend the hours not later than eleven o'clock at night, which such town or board of mayor and aldermen is hereby authorized to do;

Third, on the day of any general or city election or town-meeting;

Fourth, on a state or national legal holiday.

Hours and
days of sale
regulated.

SECT. 17. It shall not be lawful

1. To sell or expose for sale, or to have on the premises where liquor is sold, any liquor which is adulterated with any deleterious drug, substance or liquid which is poisonous or injurious to the health.

2. To permit any girl or woman, or knowingly permit any person known to have been convicted of a felony, to sell or serve any liquor on the premises.

3. To have opened or unlocked any door or entrance from the yard, street, alley, hallway, room, or adjoining premises where the liquor is sold or kept for sale during the hours when the sale of liquor is forbidden, except for the egress or ingress of the holder of the license, his agents and servants, when necessary, for purposes not forbidden by this act; or to admit to such room or rooms any other persons during the hours when the sale of liquor is forbidden.

4. To have any screens or blinds, any curtains, or anything covering any part of any window, or to have in any part of any window or door any opaque or colored glass that obstructs or in any way prevents a person passing from having a full view from the sidewalk, alley, or road in front of the bar, or room in such building where liquor is sold or kept for sale: or to traffic in liquor in any interior room or place not having in the principal door or entrance to such room or place, a section of such door filled with clear glass so that a clear and unobstructed view of the bar and room where the liquor is sold and kept for sale can be had. And it shall be unlawful to have at any time in the room or place where liquor is sold, any enclosed box or stall, or any obstruction which prevents a full view of the entire room by every person therein. The provisions of this section shall not apply to licenses under the first and fifth and seventh classes.

SECT. 18. No recovery shall be had in any civil action to recover the purchase price of any sale or credit of any liquor sold to be drunk on the premises where the same shall be sold. All securities for such debt shall be void. Any person taking such security with intent to evade the provisions of this section shall forfeit a penalty of fifty dollars for each offense.

SECT. 19. The mayor of a city and the selectmen of a town may, in case of riot or great public excitement, order persons who hold licenses of the first four classes or of the sixth or seventh class not to sell, give away, or deliver any liquor on the licensed premises for a period not exceeding three days at any one time. Whoever, by himself or by his agents or servants, violates such an order, shall be punished by a fine of two hundred dollars for each offense, and upon conviction he shall forfeit his license.

Sale of adulterated liquor prohibited; liquor not to be served by female, etc.; doors to be closed when sale forbidden; use of screens, etc., prohibited; view of room to be unobstructed.

No recovery for liquor sold to be drunk on premises; penalty for taking security.

Suspension of licenses by town and city officers; penalty for violation.

Certain licenses not to be exercised in dwelling-house.

SECT. 20. No license of the second, third or fourth class shall be granted to be exercised in a dwelling-house, but such a license may be exercised in a store or shop having no interior connection or means of connection with a dwelling or tenement of any family. No license of the second or fourth class shall be granted to be exercised in any building other than on the street floor.

Certain persons may enter to inspect; samples may be taken; penalty for adulteration.

SECT. 21. Any commissioner, police officer, constable, special agent, selectman or sheriff may at any time enter upon the premises of a person who is licensed under the provisions of this act, to ascertain the manner in which such person conducts his business, and to preserve order. Such officers may at any time take samples for analysis of any liquor kept on such premises, and the vessels containing such samples shall be sealed on the premises of the vender, and shall remain so sealed until presented to the state laboratory of hygiene for analysis. The city or town in which such vender resides shall pay for the samples so taken, if such liquor is found to be of good quality and free from adulteration. If, however, such liquor shall prove to be adulterated with any deleterious drug, substance or liquid which is poisonous or injurious to the health, or if such liquor prove to be other than it purports to be, the licensee shall be fined two hundred dollars, shall forfeit his license and his bond thereon, and such license shall not be renewed for at least three years from the date of its forfeiture.

Sales by druggists regulated.

SECT. 22. Retail druggists and apothecaries shall not sell liquor for medicinal, mechanical, chemical or sacramental purposes except upon the certificate of the purchaser, which shall state the use for which it is wanted, and which shall be immediately cancelled at the time of the sale in such a manner as to show the date of the cancellation. They shall not, when making such sales, upon the prescription of a physician, be subject to the provisions of section 16 of this act. Druggists holding a license of the fifth class may make application for a license of the third class, and may hold such license if granted, in any city or town where this act is in force.

Druggists to keep record; form of record and certificate.

SECT. 23. Every retail druggist and apothecary shall keep a book in which he shall enter at the time of every such sale, the date thereof, the name of the purchaser, the quantity, and the price of said liquor, the purpose for which it was sold, and the residence by street and number, if such there be, of said purchaser. If such sale is made upon the prescription of a physician, the book shall also state the name of the physician, and shall state the use for which said liquor was prescribed and the quantity to be used for such purpose, and shall be cancelled in like manner as the certificate hereinbefore mentioned. Said book shall be in form substantially as follows:

Date.	Name of Purchaser.	Residence.	Kind and Quantity.	Purpose of Use.	Price.	Name of Physician.
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The certificate shall be in form substantially as follows :

CERTIFICATE.

I wish to purchase ——— and I certify that I am not a minor and that the same is to be used for medicinal mechanical
chemical or sacramental purposes. (Draw a line through the words which do not indicate the purpose of the purchase.)

————Date of sale and cancellation.
————Signature of purchaser.

SECT. 24. The book, certificates, and prescriptions provided for in the preceding section, and the book provided for in the same section shall be at all times open to the inspection of the commissioners and special agents hereinbefore mentioned, the mayor and aldermen, selectmen, overseers of the poor, sheriffs, constables, and police officers.

Books, certificates, etc., open to inspection.

SECT. 25. Whoever makes or issues a false or fraudulent certificate or prescription referred to in section 23 shall be punished by a fine of ten dollars.

Fraudulent certificate or prescription; penalty.

SECT. 26. Whoever, not being a registered pharmacist, procures a license of the fifth class in the name of a registered pharmacist who is dead, or in the name of a registered pharmacist by borrowing, hiring, or purchasing the use of his certificate, and who, himself being the owner and manager of the place, shall, himself or by his agents or servants, sell liquor, shall be punished by a fine of not less than fifty nor more than five hundred dollars, and by imprisonment for not less than one nor more than six months.

Fraudulent druggist's license; penalty for sale under.

SECT. 27. The husband, wife, parent, guardian, or employer of a person who has the habit of drinking intoxicating liquor to excess, or the mayor of the city or one of the selectmen of the town, in which such person lives, may give notice in writing, signed by him or her, to any person requesting him not to sell or deliver such liquor to the person having such habit. If the person so notified, at any time within twelve months thereafter, sells or delivers any liquor to the person having such a habit, or permits him to loiter on his premises, the person giving the notice may, in an action of tort, recover of the person notified, not less than one hundred nor more than five hundred dollars,

Notice not to sell to habitual drunkard; civil liability for sale after notice.

as may be assessed as damages; but an employer who gives such notice shall not recover unless he is injured in his person or property, and a druggist or apothecary shall not be liable hereunder for a sale made upon the prescription of a physician. A married woman may bring such action in her own name, and all damages recovered by her shall inure to her separate use. A mayor or selectmen may bring such an action in his own name for the benefit, at his election, of either the husband, wife, child, parent, or guardian of the person having such habit. Upon the death of either party or of the person beneficially interested in the action, the action and right of action shall survive for the benefit of his executor or administrator.

Regulations under first class licenses to be prescribed by board; penalty for violation.

SECT. 28. The state board of license commissioners are hereby authorized and empowered to prescribe regulations for the conduct of the traffic in liquor under any license of the first class, as they may see fit, and whoever violates any such regulation, or any provision of this act or of his license, whatever its class, shall, unless otherwise expressly provided, be punished by a fine of one hundred dollars, the forfeiture of his license and the bond thereon, and by imprisonment for not more than sixty days. Such licensee shall be disqualified to hold a license for three years after his conviction, and if he is the owner of the licensed premises no license shall be issued to be exercised on the premises described in the license during the residue of the term thereof.

What deemed *prima facie* evidence of sale.

SECT. 29. Upon the trial of a complaint or indictment for keeping intoxicating liquor for sale or for being a common seller of intoxicating liquor, evidence that the respondent exposes or suffers to be exposed in, upon, or about his place of business, bottles or other articles labeled with the name of any kind of intoxicating liquor, or a coupon receipt showing the payment of a special tax to the United States government, as a retailer in liquors, shall be received by the court and shall be deemed *prima facie* evidence of the commission of the offense with which the respondent stands charged.

False statements in application.

SECT. 30. Every false statement made knowingly in any application for a license by the applicant therefor shall be deemed to be perjury.

Acceptance of license provisions by popular vote; sense of voters to be taken, when and how; result to be certified to board.

SECT. 31. From and after the third Tuesday of May, 1903, it shall be lawful to engage in the traffic in liquor, under the terms of this act, in all cities and towns in the state as shall have accepted by a majority vote of its legal voters present and voting the provisions of this act as herein provided. The officers of every city or town whose duty it is to call a special meeting of the legal voters of their respective cities or towns shall call a meeting according to the statutes made and provided, on the second Tuesday of May next, at which special meeting and at each biennial election thereafter in November in the towns

and in the cities at the biennial election in 1906 and every fourth year thereafter the sense of the voters shall be taken by secret ballot upon the following question: "Shall licenses for the sale of liquor be granted in this city or town under the provisions of 'An act to regulate the traffic in intoxicating liquor,' passed at the January session of the General Court, 1903?" If a majority of the qualified voters in any city or town present and voting at said town or city election, shall vote in the affirmative on said question, the clerk of the city or town shall immediately certify that fact to the state board of license commissioners, who shall forthwith issue licenses under the provisions of this act to be exercised in such city or town. In case a majority of the qualified voters of a city or town present and voting at such elections shall vote in the negative on said question the clerk of the city or town shall immediately certify that fact to the state board of license commissioners and in such city or town the provisions of chapter 112, Public Statutes, and all amendments thereto shall remain in full force and effect. Except that the state board of license commissioners may issue licenses of the first, fifth, and sixth classes in their discretion to be exercised in such city or town under the provisions of this act.

SECT. 32. Any city by vote of its city councils and any town where this act is in force may by major vote raise the license fee for such city or town above the fee named in this act, but not above the maximum fee of the class upon which action is taken, and whenever a city or town shall thus raise the fee, the fee thus fixed shall remain in force in such city or town until the city or town acts again upon the subject matter of license under the provisions of this act.

Increase of
license fee by
town or city.

SECT. 33. Whoever, in a city or town wherein the provisions of this act are in force, shall sell or keep for sale, liquor contrary to the provisions of this act, shall be punished by a fine of two hundred dollars and by imprisonment for not less than one month nor more than two years.

Violations in
license town;
penalty.

SECT. 34. The state board of license commissioners shall require the clerk of the board to furnish at the end of each month to the clerk of each city or town in which licenses are granted a complete and accurate list of the names of all persons to whom licenses have been granted in such city or town during the month, with street and number or location designated in the license; and such lists shall be open to public inspection in the office of the clerk of the city or town.

Board to fur-
nish to cities
and towns
list of licenses
therein.

[Approved March 27, 1903.]

CHAPTER 96.

AN ACT TO AMEND SECTION 52 OF CHAPTER 79 OF THE LAWS OF 1901, ENTITLED "AN ACT TO REVISE THE FISH AND GAME LAWS OF THE STATE."

SECTION

1. Taking of shiners for bait regulated.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Taking of
shiners regu-
lated.

SECTION 1. Section 52 of chapter 79 of the Laws of 1901 is hereby amended by striking out, after the words, "any kind of fish," the words, "except shiners in the Merrimack river," and by adding, at the end of said section, the words, But any person may take shiners for bait, with a seine, from the waters of this state if such person shall procure and pay for the services of some person designated by any of the fish and game commissioners to accompany him and assist him in such pursuit; so that said section, as amended, shall read as follows: SECT. 52. If any person shall take or kill, in any of the fresh waters of this state, any kind of fish with seine, weir, gill net or fyke net, he shall be fined not exceeding fifty dollars (\$50), or imprisoned not exceeding sixty days, or both such fine and imprisonment. But any person may take shiners for bait, with a seine, from the waters of this state if such person shall procure and pay for the services of some person designated by any of the fish and game commissioners to accompany him and assist him in such pursuit.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 27, 1903.]

CHAPTER 97.

AN ACT IN AMENDMENT OF SECTION 14, CHAPTER 79, SESSION LAWS OF 1901, RELATING TO THE POWERS OF THE FISH AND GAME COMMISSIONERS.

SECTION

1. Interference with screens placed by fish and game commissioners; penalty.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 14 chapter 79 of the Session Laws of 1901 be and is hereby amended by adding thereto the following words: And any person interfering in any way, without the consent of the commissioners, with a screen placed by them in any of the public waters of the state, either under the provisions of this section, or under authority conferred by special legislation, shall be punished by a fine not exceeding fifty dollars.

Interference with screens; penalty.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 31, 1903.]

CHAPTER 98.

AN ACT IN RELATION TO THE SALARY OF THE JUDGE OF PROBATE FOR THE COUNTY OF GRAFTON.

SECTION

1. Former provision repealed; annual salary to be \$1,000.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That so much of section 14 of chapter 286 of the Public Statutes as relates to the salary of the judge of probate for the county of Grafton is hereby repealed, and in place thereof the following is substituted: In Grafton, one thousand dollars.

Repeal; annual salary of \$1,000.

SECT. 2. This act shall take effect July 1st, 1903.

[Approved March 31, 1903.]

Takes effect on passage.

CHAPTER 99.

AN ACT RELATING TO THE SETTING OFF BY THE LEGISLATURE OF TERRITORY OF ONE TOWN OR CITY ONTO THAT OF ANOTHER TOWN OR CITY.

SECTION

1. Act setting off territory to another town not operative until ratified.

SECTION

2. Vote to ratify, when and how taken
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Act to be ratified by vote of towns.

SECTION 1. No portion of the territory of any town or city shall be united with, or set off onto, another town or city unless the legislative enactment providing for such union or set-off shall be ratified by two thirds of the voters of each town or city affected, present and voting at the annual election of town or city officers.

Vote, when and how taken.

SECT. 2. Such act shall be voted upon by ballot at the regular annual meeting for the election of town or city officers held next after the passage of such act.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 100.

AN ACT RELATING TO THE SALARY OF THE JUDGE OF PROBATE OF THE COUNTY OF SULLIVAN.

SECTION

1. Annual salary to be \$600; repealing clause.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual salary of \$600; repealing clause.

SECTION 1. That the salary of the judge of probate for the county of Sullivan shall hereafter be six hundred dollars per annum, payable as now provided by law; and so much of section 14 of chapter 286 of the Public Statutes as is inconsistent with this act is hereby repealed.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 101.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 67 OF THE LAWS OF 1899, RELATING TO EXPENSES OF JUDGES OF THE SUPREME COURT.

SECTION 1. Allowance of disbursements for stenographic and typewriting service.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 67 of the Laws of 1899 is hereby amended by adding after the word "office," in line four of said section the words following: and to be reimbursed for money expended by them for stenographic and typewriting service in the preparation and reporting of their opinions, so that said section, as amended, shall read as follows, viz: SECTION 1. The judges of the supreme court shall be entitled to receive, in addition to their salaries, as now fixed by law, their actual personal expenses when absent from home in the actual performance of the duties pertaining to their office; and to be reimbursed for money paid by them for stenographic and typewriting service in the preparation and reporting of their opinions. For such expenses they shall render quarterly or semi-annually, according as they may see fit, an account of their expenses thus incurred, to the governor and council, whose duty it shall be to audit the same, and when approved deliver the account thus audited to the state treasurer; and the state treasurer is hereby authorized and empowered to pay the several judges, whose accounts have thus been audited, the amount of expenses thus allowed, upon the warrant of the governor.

Allowance for
stenographic
and typewrit-
ing service.

[Approved March 31, 1903.]

CHAPTER 102.

AN ACT IN AMENDMENT OF SECTION 22, CHAPTER 27, LAWS OF 1895, ENTITLED "AN ACT IN RELATION TO THE INCORPORATION, ORGANIZATION, AND REGULATION OF STREET RAILWAY COMPANIES, AND AUTHORIZING THE USE OF ELECTRICITY AS MOTIVE POWER BY EXISTING STEAM RAILROADS."

SECTION

1. Railroads authorized to use steam
may use electricity.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Roads author-
ized to use
steam may
use electric-
ity.

SECTION 1. That section 22, chapter 27, Laws of 1895 be amended as follows: Insert after the word "steam" in the second line of said section the words, or authorized to use steam, so that said section will read as follows: SECT. 22. Every railroad corporation established under the laws of this state and operating railroads therein with steam, or authorized to use steam for a motive power, are hereby authorized to operate their railroads, or any part thereof, by electricity; and for the purpose of making the necessary changes from steam to electricity as motive power, every such railroad corporation may, with the consent of the railroad commissioners, and subject to the provisions of sections 17 and 18 of this act, issue such an additional amount of capital stock as may be necessary to defray the expenses of making such change in motive power and equipment.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 103.

AN ACT IN AMENDMENT OF SECTION 2 OF CHAPTER 5 OF THE PUBLIC STATUTES, RELATING TO THE PUBLICATION AND DISTRIBUTION OF STATUTES, JOURNALS, AND REPORTS.

SECTION

1. Session Laws, 1,200 copies to be
printed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Session Laws,
1,200 copies to
be printed.

SECTION 1. That section 2 of chapter 5 of the Public Statutes be amended by striking out the words "eight hundred" and inserting in place thereof the words one thousand, so that

said section as amended shall read as follows: SECT. 2. The laws of each session shall be printed, in size of page, form, and style, like this volume. One thousand copies thereof shall be stitched in pamphlet form, and two hundred copies shall be bound in covers with leather backs and corners, and having proper titles.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 31, 1903.]

CHAPTER 104.

AN ACT TO PROVIDE SUITABLE ARMORY QUARTERS FOR THE NATIONAL GUARD AT MANCHESTER.

SECTION

1. Appropriation of \$48,000.

SECTION

2. To be expended under direction of governor and council.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That a sum not exceeding forty-eight thousand dollars be and the same is hereby appropriated for the purpose of constructing and equipping an armory in the city of Manchester for the use of all portions of the National Guard located in said city; *provided* that a suitable site for the same is furnished and deeded to the state for armory purposes, without expense to the state, and the governor and council are hereby authorized to make all necessary contracts for plans for the construction, completion and equipment of the same, and when completed, to make all needful rules and regulations for the management of the same. After the said armory shall be completed, the annual armory rent now paid by the state to the various detachments of the National Guard in said city shall cease to be paid and the same shall be applied towards the maintenance of said armory.

Appropriation
of \$48,000.

SECT. 2. Said sum to be expended under the direction of the governor and council, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

To be ex-
pended under
direction of
governor and
council.

[Approved March 31, 1903.]

CHAPTER 105.

AN ACT IN RELATION TO THE ADMINISTRATION OF THE STATE PRISON
AND TO PROVIDE FOR NECESSARY IMPROVEMENTS AND REPAIRS.

SECTION 1. Insufficiency in income, how met; appropriations for chaplain, library,
and improvements and repairs.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Insufficiency
in income,
how met.

SECTION 1. That in case the income of the state prison should at any time be insufficient to meet the current expenses, the governor is hereby authorized to draw his warrant on the treasury, from time to time, to provide for such deficiency, out of any moneys in the treasury not otherwise appropriated.

Salary of
chaplain.

That the sum of eight hundred dollars annually, for the ensuing two years, be and hereby is appropriated for the payment of the salary of the chaplain of the state prison.

Library.

That the further sum of two hundred dollars annually be and the same is hereby appropriated for the benefit of the state prison library for the ensuing two years.

Improvements and
repairs.

That the further sum of five thousand dollars be appropriated for improvements and repairs of the prison buildings, the same to be expended under the direction of the governor and council; and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 31, 1903.]

CHAPTER 106.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 31 OF THE LAWS OF
1897, ENTITLED "AN ACT IN AMENDMENT OF SECTION 6 OF CHAPTER
83 OF THE PUBLIC STATUTES, IN RELATION TO THE SETTLEMENT OF
PAUPERS."

SECTION 1. Town not liable unless settlement gained during ten years preceding last application; settlement of person seventy years old not lost by non-payment of poll tax.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Town not
liable unless
settlement
gained within
ten years; settlement of
person seventy years old
not lost by
non-payment
of poll tax.

SECTION 1. Section 1 of chapter 31 of the Laws of 1897 is hereby amended by striking out the words "last preceding the" in the fourth line of said section and inserting in the place thereof the words, preceding the last, and said section is hereby further amended by adding at the end of said section the words, *provided* that no person having a settlement in any town in this

state upon arriving at the age of seventy years shall lose that settlement on account of being exempt by law from paying a poll tax, if he still resides in said town, so that said section as amended shall read as follows: SECTION 1. No town shall be liable for the support of any person unless he, or the person under whom he derives his settlement, shall have wholly gained a settlement therein during the ten years preceding the last date of application for support; *provided* that no person having a settlement in any town in this state upon arriving at the age of seventy years shall lose that settlement on account of being exempt by law from paying a poll tax, if he still resides in said town.

[Approved March 31, 1903.]

CHAPTER 107.

AN ACT IN AMENDMENT OF SECTION 79 OF CHAPTER 79 OF THE LAWS OF 1901, IN REGARD TO LOBSTER TRAPS.

SECTION

1. Interference with lobster traps, penalty; maintenance of unmarked lobster pen, penalty.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 79 of chapter 79 of the Laws of 1901 is hereby amended by inserting therein, after the words, "owner thereof," the words, or shall, without such authority, take, remove, or carry away from any beach or shore any lobster net, or lobster trap, or any warp, or buoy thereof; and by inserting therein, after the words, "fifty dollars (\$50)," the words, and in any prosecution for any offense under this section, possession by any person other than the owner, of any such net, trap, warp, or buoy, shall constitute *prima facie* evidence of his guilt of the offense charged; and by striking out, after the words, "unless the name," the words, "or the initials"; and by adding, at the end of said section, the words, and if any person shall have or maintain any lobster pen in which live lobsters are confined, unless the name of the owner thereof shall be carved, painted, or printed thereon in legible letters not less than three fourths of an inch in length, he shall be fined fifty dollars (\$50); so that said section, as amended, shall read as follows: SECT. 79. If any person shall take or attempt to take up or in any way knowingly and wilfully interfere with any lobster trap while set for

Interference with trap, penalty; maintenance of unmarked pen, penalty,

lawful use within this state, without the authority of the owner thereof, or shall, without such authority, take, remove, or carry away from any beach or shore any lobster net, or lobster trap, or any warp, or buoy thereof, he shall be fined fifty dollars (\$50), and in any prosecution for any offense under this section, possession by any person other than the owner, of any such net, trap, warp, or buoy, shall constitute *prima facie* evidence of his guilt of the offense charged; and if any person shall have or maintain any lobster pen in which live lobsters are confined, unless the name of the owner thereof shall be carved, painted, or printed thereon in legible letters not less than three fourths of an inch in length, he shall be fined fifty dollars (\$50).

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 108.

AN ACT TO ESTABLISH A NEW APPORTIONMENT FOR THE ASSESSMENT OF PUBLIC TAXES.

SECTION

1. New apportionment for assessment
of public taxes.

SECTION

2. Taxes to be apportioned accordingly
until new apportionment.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

New appor-
tionment.

SECTION 1. That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the state is hereby authorized to issue his warrant, shall be as follows, to wit:

ROCKINGHAM COUNTY, \$128.06.

Atkinson, one dollar and twenty cents . . .	\$1.20
Auburn, one dollar and seventy-three cents . . .	1.73
Brentwood, one dollar and twenty-two cents . . .	1.22
Candia, two dollars and eighteen cents . . .	2.18
Chester, one dollar and eighty-nine cents . . .	1.89
Danville, eighty-two cents . . .	.82
Deerfield, two dollars and thirty-four cents. . .	2.34
Derry, six dollars and sixty-three cents . . .	6.63
East Kingston, ninety cents . . .	.90
Epping, two dollars and ninety-four cents . . .	2.94

Exeter, thirteen dollars and thirty cents . . .	\$13.30
Fremont, one dollar and eleven cents . . .	1.11
Greenland, one dollar and ninety cents . . .	1.90
Hampstead, one dollar and fifty-nine cents . . .	1.59
Hampton, three dollars and nine cents . . .	3.09
Hampton Falls, one dollar and fifteen cents . . .	1.15
Kensington, ninety-six cents . . .	.96
Kingston, one dollar and twenty-eight cents . . .	1.28
Londonderry, two dollars and ninety-five cents . . .	2.95
Newcastle, one dollar and fifty-one cents . . .	1.51
Newfields, one dollar and fifteen cents . . .	1.15
Newington, one dollar and sixteen cents . . .	1.16
Newmarket, five dollars and twenty-three cents . . .	5.23
Newton, one dollar and thirty-three cents . . .	1.33
North Hampton, three dollars and seven cents . . .	3.07
Northwood, two dollars and forty-two cents . . .	2.42
Nottingham, one dollar and thirty-nine cents . . .	1.39
Plaistow, one dollar and twenty-seven cents . . .	1.27
Portsmouth, forty-five dollars and thirty-five cents . . .	45.35
Raymond, two dollars and twenty-five cents . . .	2.25
Rye, four dollars and seventeen cents . . .	4.17
Salem, two dollars and eighty-eight cents . . .	2.88
Sandown, sixty-four cents . . .	.64
Seabrook, one dollar and thirteen cents . . .	1.13
South Hampton, seventy-two cents . . .	.72
Stratham, one dollar and eighty-six cents . . .	1.86
Windham, one dollar and thirty-five cents . . .	1.35

STRAFFORD COUNTY, \$102.58.

Barrington, two dollars and thirteen cents . . .	\$2.13
Dover, forty-two dollars and eight cents . . .	42.08
Durham, two dollars and eighty-six cents . . .	2.86
Farmington, five dollars and twenty-seven cents . . .	5.27
Lee, one dollar and forty-one cents . . .	1.41
Madbury, one dollar and thirty-three cents . . .	1.33
Middleton, forty-one cents . . .	.41
Milton, three dollars and fifty-eight cents . . .	3.58
New Durham, eighty-seven cents . . .	.87
Rochester, twenty dollars and thirty-one cents . . .	20.31
Rollinsford, five dollars and fifty cents . . .	5.50
Somersworth, fourteen dollars and fifty-nine cents . . .	14.59
Strafford, two dollars and twenty-four cents . . .	2.24

BELKNAP COUNTY, \$46.09.

Alton, two dollars and seventy-one cents . . .	\$2.71
Barnstead, two dollars and forty-two cents . . .	2.42
Belmont, two dollars and fifty cents . . .	2.50
Center Harbor, one dollar and twenty-four cents . . .	1.24

Gilford, one dollar and seventy-eight cents . . .	\$1.78
Gilmanton, two dollars and thirteen cents . . .	2.13
Laconia, twenty dollars and fifty-three cents . . .	20.53
Meredith, three dollars and seventy-seven cents . . .	3.77
New Hampton, one dollar and forty-nine cents . . .	1.49
Sanbornton, two dollars and seven cents . . .	2.07
Tilton, five dollars and forty-five cents . . .	5.45

CARROLL COUNTY, \$28.34.

Albany, thirty-seven cents . . .	\$0.37
Bartlett, one dollar and forty-one cents . . .	1.41
Brookfield, fifty-three cents . . .	.53
Chatham, forty-three cents . . .	.43
Conway, four dollars and twenty-one cents. . .	4.21
Eaton, forty-four cents . . .	.44
Effingham, eighty-five cents . . .	.85
Freedom, eighty-nine cents . . .	.89
Hart's Location, eleven cents . . .	.11
Jackson, one dollar and seventeen cents . . .	1.17
Madison, seventy-six cents . . .	.76
Moultonborough, one dollar and fifty-eight cents. . .	1.58
Ossipee, two dollars and thirty-three cents . . .	2.33
Sandwich, one dollar and seventy-five cents . . .	1.75
Tamworth, one dollar and eighty cents . . .	1.80
Tuftonborough, one dollar and one cent . . .	1.01
Wakefield, three dollars and sixty-five cents . . .	3.65
Wolfeborough, five dollars and five cents . . .	5.05

MERRIMACK COUNTY, \$148.48.

Allenstown, two dollars and seventy-one cents . . .	\$2.71
Andover, two dollars and forty-six cents . . .	2.46
Boscawen, three dollars and three cents . . .	3.03
Bow, one dollar and ninety-three cents . . .	1.93
Bradford, two dollars and forty-one cents . . .	2.41
Canterbury, two dollars and thirty-seven cents . . .	2.37
Chichester, one dollar and seventy-two cents . . .	1.72
Concord, sixty-eight dollars and twenty-six cents . . .	68.26
Danbury, one dollar and thirty-six cents . . .	1.36
Dunbarton, one dollar and seventy-seven cents . . .	1.77
Epsom, one dollar and eighty-two cents . . .	1.82
Franklin, fourteen dollars and ninety-two cents . . .	14.92
Henniker, three dollars and seventy-three cents . . .	3.73
Hill, ninety-two cents . . .	.92
Hooksett, three dollars and sixty cents . . .	3.60
Hopkinton, four dollars and eighty-four cents . . .	4.84
Loudon, two dollars and ninety-six cents . . .	2.96
Newbury, one dollar and fifty-nine cents . . .	1.59
New London, two dollars and sixteen cents . . .	2.16

Northfield, two dollars and seventy-six cents . . .	\$2.76
Pembroke, six dollars and nine cents . . .	6.09
Pittsfield, five dollars and fifty cents . . .	5.50
Salisbury, one dollar and thirty-one cents . . .	1.31
Sutton, one dollar and fifty-six cents . . .	1.56
Warner, three dollars and eighty-two cents . . .	3.82
Webster, one dollar and sixty-eight cents . . .	1.68
Wilmot, one dollar and twenty cents . . .	1.20

HILLSBOROUGH COUNTY, \$294.00.

Amherst, two dollars and eighty cents . . .	\$2.80
Antrim, three dollars and twenty-six cents . . .	3.26
Bedford, three dollars and twenty-four cents . . .	3.24
Bennington, one dollar . . .	1.00
Brookline, ninety-seven cents . . .	.97
Deering, ninety-two cents . . .	.92
Francesstown, one dollar and fifty cents . . .	1.50
Goffstown, six dollars and sixty-six cents . . .	6.66
Greenfield, one dollar and nineteen cents . . .	1.19
Greenville, two dollars and seventy-eight cents . . .	2.78
Hancock, one dollar and fifty-eight cents . . .	1.58
Hillsborough, five dollars and ninety-two cents . . .	5.92
Hollis, two dollars and sixteen cents . . .	2.16
Hudson, three dollars and one cent . . .	3.01
Litchfield, one dollar and thirteen cents . . .	1.13
Lyndeborough, one dollar and five cents . . .	1.05
Manchester, one hundred fifty-nine dollars and ten cents . . .	159.10
Mason, ninety-one cents . . .	.91
Merrimack, three dollars and thirty-seven cents . . .	3.37
Milford, eight dollars and forty-seven cents . . .	8.47
Mont Vernon, one dollar and five cents . . .	1.05
Nashua, fifty-eight dollars and sixteen cents . . .	58.16
New Boston, three dollars and thirty-one cents . . .	3.31
New Ipswich, two dollars and thirty-seven cents . . .	2.37
Pelham, one dollar and seventy-two cents . . .	1.72
Peterborough, seven dollars and eight cents . . .	7.08
Sharon, twenty-two cents . . .	.22
Temple, sixty-nine cents . . .	.69
Weare, three dollars and ninety-two cents . . .	3.92
Wilton, four dollars and thirty-six cents . . .	4.36
Windsor, ten cents . . .	.10

CHESHIRE COUNTY, \$73.84.

Alstead, one dollar and seventy-seven cents . . .	\$1.77
Chesterfield, two dollars and twenty-nine cents . . .	2.29
Dublin, three dollars and twenty cents . . .	3.20
Fitzwilliam, one dollar and ninety-one cents . . .	1.91

Gilsum, eighty-eight cents	\$0.88
Harrisville, one dollar and thirty-eight cents	1.38
Hinsdale, three dollars and seventy cents	3.70
Jaffrey, four dollars and fifteen cents	4.15
Keene, twenty-seven dollars and seven cents	27.07
Marlborough, two dollars and ninety-seven cents.	2.97
Marlow, one dollar	1.00
Nelson, fifty-four cents . . . . .	.54
Richmond, one dollar and nine cents	1.09
Rindge, two dollars and thirty-nine cents	2.39
Roxbury, thirty cents . . . . .	.30
Stoddard, sixty-eight cents . . . . .	.68
Sullivan, fifty-one cents . . . . .	.51
Surry, sixty-eight cents . . . . .	.68
Swanzy, two dollars and eighty-nine cents.	2.89
Troy, two dollars and thirteen cents	2.13
Walpole, six dollars and twenty-one cents	6.21
Westmoreland, one dollar and eighty-nine cents.	1.89
Winchester, four dollars and twenty-one cents	4.21

SULLIVAN COUNTY, \$36.55.

Acworth, ninety-eight cents	\$0.98
Charlestown, three dollars and twenty-three cents	3.23
Claremont, twelve dollars and eighty-five cents	12.85
Cornish, one dollar and ninety-three cents	* 1.93
Croydon, seventy-two cents . . . . .	.72
Goshen, fifty-eight cents . . . . .	.58
Graham, fifty-five cents . . . . .	.55
Langdon, seventy-one cents . . . . .	.71
Lempster, fifty-four cents . . . . .	.54
Newport, seven dollars and eighty-six cents	7.86
Plainfield, one dollar and ninety-six cents	1.96
Springfield, sixty cents . . . . .	.60
Sunapee, two dollars and thirty-one cents	2.31
Unity, seventy-three cents . . . . .	.73
Washington, one dollar	1.00

GRAFTON COUNTY, \$85.14.

Alexandria, ninety-nine cents	\$0.99
Ashland, two dollars and thirty-six cents	2.36
Bath, one dollar and eighty-seven cents	1.87
Benton, forty-nine cents . . . . .	.49
Bethlehem, three dollars and five cents	3.05
Bridgewater, fifty-two cents . . . . .	.52
Bristol, four dollars and nine cents	4.09
Campton, one dollar and eighty-four cents	1.84
Canaan, two dollars and forty-four cents	2.44

Dorchester, thirty-six cents	\$0.36
Easton, fifty-one cents . . . . .	.51
Ellsworth, eight cents . . . . .	.08
Enfield, three dollars and twenty-eight cents	3.28
Franconia, one dollar and seventy-eight cents	1.78
Grafton, one dollar and fifty-two cents	1.52
Groton, forty-two cents . . . . .	.42
Hanover, five dollars and forty-eight cents	5.48
Haverhill, five dollars and eighty-eight cents	5.88
Hebron, forty-four cents . . . . .	.44
Holderness, one dollar and thirty-nine cents	1.39
Landaff, one dollar and eight cents	1.08
Lebanon, ten dollars and sixty-four cents	10.64
Lincoln, one dollar and ninety-one cents	1.91
Lisbon, five dollars and twenty-two cents	5.22
Littleton, eight dollars and thirteen cents	8.13
Livermore, seventy-one cents . . . . .	.71
Lyman, sixty-six cents . . . . .	.66
Lyme, two dollars and eight cents	2.08
Monroe, ninety-nine cents . . . . .	.99
Orange, twenty-four cents . . . . .	.24
Orford, one dollar and forty-nine cents	1.49
Piermont, one dollar and twenty-eight cents	1.28
Plymouth, five dollars and ten cents	5.10
Rumney, one dollar and eighty-one cents	1.81
Thornton, seventy-five cents . . . . .	.75
Warren, one dollar and forty-eight cents	1.48
Waterville, seventy cents . . . . .	.70
Wentworth, one dollar and ten cents	1.10
Woodstock, ninety-eight cents . . . . .	.98

COOS COUNTY, \$50.22.

Berlin, twelve dollars and thirty-four cents	\$12.34
Carroll, two dollars and thirty cents	2.30
Clarksville, fifty-five cents . . . . .	.55
Colebrook, three dollars and sixty-nine cents	3.69
Columbia, one dollar and twenty-seven cents	1.27
Dalton, sixty-four cents . . . . .	.64
Dummer, fifty-six cents . . . . .	.56
Errol, seventy-one cents . . . . .	.71
Gorham, two dollars and forty-two cents	2.42
Jefferson, one dollar and eighty-nine cents	1.89
Lancaster, seven dollars and forty cents	7.40
Milan, one dollar and fifty-five cents	1.55
Northumberland, three dollars and twenty-eight cents	3.28
Pittsburg, two dollars and forty-seven cents	2.47
Randolph, thirty-eight cents . . . . .	.38
Shelburne, sixty-four cents . . . . .	.64

Stark, one dollar and twenty-one cents . . .	\$1.21
Stewartstown, one dollar and sixty-two cents . . .	1.62
Stratford, one dollar and ninety-two cents . . .	1.92
Wentworth's Location, twenty-one cents . . .	.21
Whitefield, three dollars and seventeen cents . . .	3.17

UNINCORPORATED PLACES IN COOS COUNTY, \$6.70.

Bean's Grant, three cents	\$0.03
Bean's Purchase, fifty cents . . . . .	.50
Cambridge, ninety cents . . . . .	.90
Chandler's Purchase, one cent . . . . .	.01
Crawford's Purchase, nine cents. . . . .	.09
Cutt's Grant, three cents . . . . .	.03
Dixville, sixty-nine cents . . . . .	.69
Dix's Grant, twenty-four cents . . . . .	.24
Erving's Grant, ten cents . . . . .	.10
Green's Grant, eight cents . . . . .	.08
Gilmanton and Atkinson Academy Grant, fifty cents . . . . .	.50
Hadley's Purchase, three cents . . . . .	.03
Kilkenney, twenty-six cents . . . . .	.26
Low and Burbank's Grants, forty cents . . . . .	.40
Martin's Location, two cents . . . . .	.02
Millsfield, eighty-eight cents . . . . .	.88
Odell, forty-five cents . . . . .	.45
Pinkham's Grant, three cents . . . . .	.03
Sargent's Purchase, fifty-seven cents . . . . .	.57
Second College Grant, forty-five cents . . . . .	.45
Success, twenty cents . . . . .	.20
Thompson and Meserve's Purchase, twenty-four cents . . . . .	.24

Taxes to be apportioned accordingly until new apportionment.

SECT. 2. The same shall be the proportion of assessment of all public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

[Approved March 31, 1903.]

CHAPTER 109.

AN ACT TO AMEND CHAPTER 60, SECTION 3, OF THE STATUTE LAWS OF
1891, RELATING TO DOG LICENSES.

SECTION

1. License fee for spayed bitch.

SECTION

2. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Section 3 of chapter 60 of the Laws of 1891 is hereby amended by inserting after the word "male" in the second line of said section the words, or spayed female, and said section is further amended by adding at the end of said section the following words, *provided* that the owner or keeper of such spayed female dog shall furnish a certificate from the person performing the operation to the satisfaction of the clerk of the town, or ward of a city wherein such dog is owned or kept, so that said section as amended shall read as follows: SECT. 3. The fee for every license for a year shall be two dollars for a male or spayed female dog and five dollars for a female dog, and such proportionate sum for licenses for dogs becoming three months of age after the first day of May, or which may be brought from out of the state after the first day of May, as the remaining portion of the year bears to the sum required for a license for a whole year; *provided* that the owner or keeper of such spayed female dog shall furnish a certificate from the person performing the operation, to the satisfaction of the clerk of the town or ward of a city wherein such dog is owned or kept.

License fee
for spayed
bitch.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved April 1, 1903.]

CHAPTER 110.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 83 OF THE PUBLIC STATUTES, ENTITLED “SETTLEMENT OF PAUPERS.”

SECTION

1. Settlement of legitimate children; settlement of unmarried woman.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Settlement of legitimate children; settlement of unmarried woman.

SECTION 1. Section 1, division II, of chapter 83 of the Public Statutes is hereby amended by striking out all after the words “if any she has” in the third line of said division so that said division as amended shall read as follows: II. Legitimate children shall have the settlement of their father, if any he has within this state; otherwise the settlement of their mother if any she has.

Division IX of said section is hereby amended by inserting after the word “term” in the fourth line of said division the words, and any unmarried woman of the age of twenty-one years who shall have resided in any town in this state seven years in succession, shall have paid all taxes legally assessed on her estate during that term, so that said division as amended shall read as follows: IX. Any person of the age of twenty-one years who shall have resided in any town in this state, and, being taxed for his poll for seven years in succession, shall have paid all taxes legally assessed on his poll and estate during that term, and any unmarried woman of the age of twenty-one years who shall have resided in any town in this state seven years in succession, shall have paid all taxes legally assessed on her estate during that term, shall thereby gain a settlement in such town.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 111.

AN ACT IN AMENDMENT OF SECTION 7 OF CHAPTER 59 OF THE PUBLIC STATUTES, AND SECTION 13 OF CHAPTER 60 OF THE PUBLIC STATUTES, RELATING TO THE ASSESSMENT AND COLLECTION OF TAXES.

SECTION

1. Tax list to be delivered to collector by June 30.
2. Real estate holden for tax for one year from July following assessment.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 7 of chapter 59 of the Public Statutes be and hereby is amended by inserting after the word "hands" in the second line of said section, the words, and delivered to the collector on or before the 30th day of June, so that said section as amended shall read: SECT. 7. A list of all taxes by them assessed shall be made by the selectmen under their hands, and delivered to the collector on or before the 30th day of June with a warrant under their hands and seal, directed to the collector of such town, requiring him to collect the same, and to pay to the state and county treasurer, and to the town treasurer, such sums at such times as may be therein prescribed.

Tax list to be given to collector by June 30.

SECT. 2. That section 13 of chapter 60 of the Public Statutes be and the same is hereby amended by striking out the word "June" in the fifth line of said section and inserting in place thereof the word July, so that said section as amended shall read: SECT. 13. The real estate of every person or corporation shall be holden for all taxes assessed against the owner thereof; and all real estate assessed as resident, whether in the name of the owner, occupant, heirs, or estate, shall be holden for all taxes assessed thereon for one year from the first day of July following such assessment, and for highway taxes assessed thereon for two years from such date. Such real estate may be sold by the collector, in case the owner or person to whom the same is assessed shall die or remove from town and leave there no personal estate on which distress can be made, or in case such person or corporation shall neglect or refuse to expose goods and chattels whereon distress may be made, or in case such tax shall not be paid on or before the first day of January next after its assessment.

Real estate holden for tax, how long.

SECT. 3. All acts and parts of acts inconsistent with the above sections as amended are hereby repealed and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 112.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 27 OF THE PUBLIC STATUTES, ENTITLED "COUNTY COMMISSIONERS."

SECTION

1. Commissioners of Hillsborough county, annual salary of each \$1,200.

SECTION

2. Repealing clause; act takes effect April 1, 1903.

Be it enacted by the Senate and House of Representatives in General Court convened:

Hillsborough county commissioners, annual salary of each \$1,200.

SECTION 1. Section 20 of chapter 27 of the Public Statutes is hereby amended by inserting after the words, "three dollars a day," in the fourth line of said section the words, except in the county of Hillsborough where each commissioner shall be paid twelve hundred dollars per year payable in equal quarterly installments, so that said section as amended shall read as follows: SECT. 20. Each county commissioner shall be paid by the county treasurer for his services, when employed in business of the county and in inspecting the taxable property of towns, as provided in the preceding section, three dollars a day, except in the county of Hillsborough where each commissioner shall be paid twelve hundred dollars per year payable in equal quarterly installments, and a reasonable sum for all necessary expenses, upon order of the supreme court, his accounts having been first audited by the court.

Repealing clause; act takes effect April 1, 1903.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect April 1, 1903.

[Approved April 2, 1903.]

CHAPTER 113.

AN ACT IN AMENDMENT OF CHAPTER 134 OF THE PUBLIC STATUTES,
RELATING TO THE PRACTICE OF DENTISTRY.

SECTION

1. Compensation of board of registration.
2. Association practicing dentistry to have and display certificate; penalty.

SECTION

3. Exception in favor of students of dentistry.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 134 of the Public Statutes is hereby amended by striking out section 5 and inserting in place thereof the following new section: SECT. 5. The members of the board shall be paid the expenses necessarily incurred and \$5 a day each for time actually spent in the discharge of their duties. Their bills for services and expenses shall be audited and allowed by the governor and council, and shall be paid from the state treasury.

Compensation of board of registration.

SECT. 2. Chapter 134 of the Public Statutes is hereby further amended by numbering the present section 7, section 8, and inserting a new section as follows: SECT. 7. Any association of persons, whether incorporated or not, engaged in the practice of dentistry under the name of company or association, or any other title, shall cause to be displayed and kept in a conspicuous place in its office a certificate from said board of the qualification of each person engaged in the practice of dentistry in said office. Any violation of this section shall subject the managers of said office to punishment by a fine not exceeding one hundred dollars.

Association practicing to have and display certificate.

SECT. 3. Chapter 134 of the Public Statutes is hereby further amended by adding to section 8, as above amended, the following words, or to a *bona fide* student of dentistry pursuing his studies under the direction of a qualified dentist, so that section 8 shall read as follows: SECT. 8. Nothing in this chapter shall apply to a practicing physician who is a graduate from the medical department of an incorporated college, or to a *bona fide* student of dentistry pursuing his studies under the direction of a qualified dentist.

Exception in favor of students.

[Approved April 2, 1903.]

CHAPTER 114.

AN ACT IN AMENDMENT OF SECTION 5, CHAPTER 278 OF THE PUBLIC STATUTES AS AMENDED BY SECTION 1, CHAPTER 24, LAWS OF 1899, RELATING TO HOMICIDE AND OFFENSES AGAINST THE PERSON.

SECTION

1. Punishment of murder; jury may affix death penalty for murder in first degree.

SECTION

2. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Punishment of murder; jury may affix death penalty for murder in first degree.

SECTION 1. That section 5 of chapter 278 of the Public Statutes as amended by section 1, chapter 24, Laws of 1899, is hereby repealed and the following is substituted in place thereof: SECT. 5. The punishment of murder in the first degree shall be death or imprisonment for life as the jury may determine; and the punishment of murder in the second degree shall be imprisonment for life or for such term as the court having cognizance of the offense may order. If the jury shall find the respondent guilty of murder in the first degree the punishment shall be life imprisonment unless the jury shall add to their verdict the words, with capital punishment.

Takes effect on passage; repealing clause.

SECT. 2. This act shall take effect upon its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

[Approved April 2, 1903.]

CHAPTER 115.

AN ACT IN AMENDMENT OF SECTION 7, CHAPTER 63 OF THE LAWS OF 1897, ENTITLED "AN ACT TO REGULATE THE LICENSING AND REGISTRATION OF PHYSICIANS AND SURGEONS."

SECTION 1. Courses of study required to be shown by candidates for examination.

Be it enacted by the Senate and House of Representatives in General Court convened:

Courses of study required to be shown.

SECTION 1. That the fourth requirement of section 7 chapter 63 of the Laws of 1897 be and is hereby amended by adding at the end of said fourth requirement the words, and as the equivalent of the first year of the fourth requirement evidence of graduation from a registered college course; *providing* that

such college course shall have included not less than the minimum requirements for such admission to the second year of a medical school registered as maintaining at the time a satisfactory standard; so that said IV requirement shall read as follows: IV. Has studied medicine not less than four full school years of at least nine months each, including four satisfactory courses of at least six months each, in four different calendar years, in a medical college registered as maintaining at the time a satisfactory standard. The regent shall accept as the equivalent for any part of the third and fourth requirements evidence of five or more years' reputable practice, *provided* that such substitution be specified in the license; and as the equivalent of the first year of the fourth requirement, evidence of graduation from a registered college course; *providing* that such college course shall have included not less than the minimum requirements for such admission to the second year of a medical school registered as maintaining at the time a satisfactory standard.

[Approved April 2, 1903.]

CHAPTER 116.

AN ACT PROVIDING FOR THE APPOINTMENT OF GUARDIANS FOR MINORS
IN CERTAIN CASES.

SECTION

- 1. If parents unfit, guardian appointed on petition of certain public officers.
- 2. Incorporated orphans' home, or secretary of board of charities and correction, may be appointed.

SECTION

- 3. Such wards may be bound out or adopted.
- 4. Appointment does not relieve parent of burden of support.
- 5. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The probate court in the county in which any minor is in fact residing may, after reasonable notice to the parent or parents, appoint a guardian for such minor, who shall have during the minority of his ward the full custody and control of said ward and his estate and earnings, upon petition of the mayor, overseer of the poor, or selectmen of the city or town in which said minor is in fact residing, the county commissioners, or the secretary of the state board of charities and correction, such petition setting forth that the parent or parents of said minor, or other person having his custody, are unfit persons to have the custody and control of said minor and of his estate and earnings, or that his parents are living apart and the circumstances are such that the interests of such minor require that a

If parents unfit, guardian appointed on petition of certain public officers.

guardian be appointed. Any guardian appointed under the provisions of this section shall continue to act as such from and after the date of his appointment, unless and until final judgment is rendered, setting aside the decree of the probate court under which he is appointed. He shall be liable to removal at any time, for cause shown, upon petition of either parent, or of any person who would be entitled to petition for the appointment of a guardian under the provisions of this section.

Any incorporated orphans' home, or secretary of board of charities and correction, may be guardian.

SECT. 2. Any home for orphans situated in and incorporated under the laws of this state, or the secretary of the state board of charities and correction and his successors, may be appointed guardian of any minor.

Such wards may be bound out or adopted.

SECT. 3. Minors under guardianship under the provisions of this act may be bound as apprentices, or adopted, in accordance with the provisions of the Public Statutes relating to masters and apprentices and the adoption of children, their guardian consenting thereto; and in such cases the consent of the parents shall not be required. And such guardian may make contracts for the support of such minors at some home for orphans, or with some family of good repute. The consent of the minor shall not be necessary for the appointment of a guardian under the provisions of this act, or for his apprenticing or adoption; but the court shall in all cases ascertain his preference, and give to it such weight as under the circumstances may seem just.

Appointment does not relieve parents of burden of support.

SECT. 4. The appointment of a guardian for any of the causes specified in section 1 of this act shall not relieve the parents or other persons liable for the support of any minor from their obligation to provide therefor. And the probate court at the time of making such appointment, or at any time thereafter, may order and require such parents or other persons to contribute to the support and maintenance of such minor in such amounts and at such times as it determines are just and reasonable. The court may from time to time, upon application of either party, and after due notice, revise or alter such order, or make such new order or decree as the circumstances of the parents or the benefit of the minor may require.

Repealing clause; act takes effect on passage.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 117.

AN ACT IN AMENDMENT OF SECTION 2 OF CHAPTER 32 OF THE LAWS OF 1895, ENTITLED "AN ACT IN RELATION TO PRINTING THE REPORTS OF CERTAIN STATE OFFICERS."

SECTION

1. Powers of governor and council concerning state reports.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 2 of chapter 32 of the Laws of 1895 be amended by inserting in the sixth line of said section the following words, and such reprints from the laws of the state, so that said section as amended shall read as follows: SECT. 2. The governor with the advice of the council, at any time previous to the printing of any annual or biennial report of a state officer, commissioner, or board of trustees, may, after a hearing, define and limit the number of printed pages of such report. The governor and council may authorize the publication of such special reports of state officers and state institutions, and such reprints from the laws of the state, as may be deemed necessary.

Powers of governor and council.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 118.

AN ACT TO AMEND CHAPTER 96 OF THE SESSION LAWS OF 1901, RELATING TO HIGH SCHOOLS.

SECTION

1. Town not maintaining high school to pay tuition of resident attending elsewhere; cost of tuition, how limited.
2. High schools and academies to be approved by state superintendent.

SECTION

3. District may contract with local academy for instruction.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 96 of the Session Laws of 1901 is hereby amended by adding to said section the words, *Provided, however*, that no town shall be liable for tuition of a child in any school in excess of the average cost per child of

Town not maintaining high school to pay tuition of scholar attending elsewhere; cost of tuition, how limited.

instruction by the regularly employed teachers of that school and the cost of text-books supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition of any child in excess of forty dollars per year, so that said section shall read: SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardians resides in said town and who attends a high school or academy in the same or another town or city in this state, and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend. *Provided, however,* that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction by the regularly employed teachers of that school and the cost of text-books supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition of any child in excess of forty dollars per year.

High schools and academies to be approved by state superintendent.

SECT. 2. Section 4 of chapter 96 of the Laws of 1901 is hereby amended by adding the words, and said superintendent is authorized to approve a school maintaining any part of such course, for the part so maintained, so that said section shall read: SECT. 4. By the term "high school" or "academy," as used in this act, is understood a school having at least one four years' course properly equipped and teaching such subjects as are required for admission to college, technical school, and normal school, such high school or academy to be approved by the state superintendent of public instruction as complying with the requirements of this section, and said superintendent is authorized to approve a school maintaining any part of such course, for the part so maintained.

District may contract with local academy.

SECT. 3. Said chapter 96 is hereby amended by inserting immediately after section 5 the following: SECT. 6. Any school district may make contracts with an academy, located within its limits, for furnishing instruction to its scholars; and such school district may raise and appropriate money to carry into effect any contracts in relation thereto, and in case such appropriation is not less in amount than the average cost of instruction of each pupil in such academy during the year preceding, for each pupil of said district qualified to enter upon a high school course, then said academy shall be deemed a high school maintained by such district, if approved by the superintendent of public instruction in accordance with section 4 of this act.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 119.

AN ACT IN AMENDMENT OF CHAPTER 98 OF THE LAWS OF 1901, RELATING TO THE DUTIES OF TREE WARDENS.

SECTION

1. Manner of marking trees.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 2 by inserting after the word "aforesaid" in line 8 a period. Strike out after that word in line 8 the words "by driving into each tree, at a point not less than three nor more than six feet from the ground, on the side toward the highway, a nail or spike, with the letters 'N. H.' cut or cast upon the head. Said spikes or nails shall be procured by the secretary of the forestry commission, and furnished by him to said officers as may be required by them for the purposes of this act, at a cost not to exceed five hundred dollars a year," and insert the following: Galvanized iron disks shall be furnished by the secretary of the forestry commission to said officers, as may be required by them for the purposes of this act at a cost not to exceed five hundred dollars a year. Said disks to be painted red and to have stamped on them the letters "N. H." not less than an inch in height, and to be pierced in the center for the admission of a spike. The disks shall be inserted on each tree at a point not less than three feet nor more than six feet from the ground, on the side toward the highway, by driving a spike through the disk into the tree within two inches of the spike's head, so that the disk may slide with the growth of the tree.

Manner of
marking
trees.

Strike out the words "nails or spikes" in lines 15 and 16 and insert the following: spikes or disks, so that said section shall read: SECT. 2. Towns and cities shall have control of all shade and ornamental trees situated in any public way or ground within their limits, which the tree warden deems reasonably necessary for the purpose of shade and ornamentation; and it shall be the duty of the tree wardens, as soon as possible after their appointment, to carefully examine the trees, situated as aforesaid, and to plainly mark such trees as they think should be controlled by their municipality, for the purposes aforesaid. Galvanized iron disks shall be furnished by the secretary of the forestry commission to said officers, as may be required by them for the purposes of this act at a cost not to exceed five hundred dollars a year. Said disks to be painted red and to have stamped on them the letters "N. H." not less than an inch in height, and to be pierced in the center for the

admission of a spike. The disks shall be inserted on each tree at a point not less than three feet nor more than six feet from the ground on the side toward the highway, by driving a spike through the disk into the tree within two inches of the spike's head, so that the disk may slide with the growth of the tree. If any of the spikes or disks shall be destroyed or defaced, it shall be the duty of the warden to renew them as soon as possible after he is informed or discovers that they have been removed. They shall also have the power to designate from time to time, in the same manner as hereinbefore directed, such other trees, within the limits of the public ways and grounds, as in his (their) judgment should be preserved for ornament or shade.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 120.

AN ACT RELATING TO THE USE OF TRADE-MARKS AND NAMES.

SECTION

1. Distinctive names on bottles, cans, or other vessels may be registered.
2. Unauthorized use of registered vessel, how punished.
3. What deemed *prima facie* evidence of unlawful use.

SECTION

4. Search-warrants for recovery of such vessels.
5. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Distinctive
names on cer-
tain vessels
may be regis-
tered.

SECTION 1. Persons engaged in buying, selling or dealing in milk or cream in cans or bottles, or bottling or selling beverages in bottles or vessels with their name and the word "registered" branded, engraved, blown or otherwise produced thereon, or on the boxes used by them, may file in the office of the clerk of the city or town in which their principal place of business is situated, and also in the office of the secretary of state, a description of the name so used by them, and shall publish such description once in each of four successive weeks in a newspaper, if any, published in the city or town in which said description has been filed; otherwise, in a newspaper published in the county in which said city or town is situated.

Unauthorized
use of regis-
tered vessel,
how punished.

SECT. 2. Whoever fills with milk, cream or any manufactured beverage, with intent to sell the same, any bottle, can or vessel, marked or distinguished as aforesaid, the description of

which has been filed and published as provided in the preceding section, or defaces, erases, covers up or otherwise removes or conceals any such name, or the word "registered" thereon, or sells, buys, gives, takes or otherwise disposes of or traffics in the same, without the written consent of, or unless the same has been purchased from, the person whose name is in or upon the can, bottle or vessel so filled, defaced, trafficked in or otherwise used or disposed of shall, for the first offense, be punished by a fine of fifty cents for each such can, bottle or vessel or by imprisonment for not less than ten days nor more than one year, or by both such fine and imprisonment: and for each subsequent offense, by a fine of not less than one dollar nor more than five dollars for each such vessel or by imprisonment for not less than twenty days nor more than one year.

SECT. 3. The use by any person engaged in selling milk or cream or in manufacturing, bottling or selling beverages, of a bottle, can or vessel, marked or distinguished as aforesaid, the description of which has been filed and published as provided in section 1, without the written consent of, or purchase from, the owner thereof, or the buying, selling, disposing of or trafficking in such bottles, cans or vessels by such person without such written consent or purchase, or the possession by any junk dealer or dealer in second-hand articles of any such bottles, cans or vessels, without the written consent of or purchase from, the owner thereof, shall be *prima facie* evidence of unlawful use, possession of or traffic in the same.

What deemed
evidence of
unlawful use.

SECT. 4. Upon complaint of a person who has complied with the provisions of section 1, or his agent, to the justice of a police court, or to a justice of the peace in a town which has no police court, that he has reason to believe and does believe that any of his bottles, cans or vessels, marked or distinguished as provided in said section, the description of the name, on which, with the word "registered," has been filed and published as provided in said section, are being unlawfully used or filled by a person engaged in buying, selling or dealing in milk or cream or in manufacturing, bottling or selling beverages, or that a junk dealer or dealer in second-hand articles, or a vender of cans or bottles, has any such cans, bottles or vessel in his possession, or secreted in any place, said justice may thereupon issue a search-warrant; and may also cause the person in whose possession such cans, bottles or vessel are found to be brought before him, and shall thereupon inquire into the circumstances of such possession; and shall award possession of the property taken upon such search-warrant to the owner thereof.

Search-war-
rants for re-
covery of
such vessels.

SECT. 5. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved April 2, 1903.]

CHAPTER 121.

AN ACT AUTHORIZING THE LICENSE COMMISSIONERS TO LICENSE BONA FIDE HOTELS IN UNORGANIZED TOWNS AND PLACES TO SELL INTOXICATING LIQUORS.

SECTION

1. Liquor licenses to hotels in unorganized towns.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Liquor licenses to hotels in unorganized towns.

SECTION 1. The state board of license commissioners appointed under the act to regulate the sale of intoxicating liquors, passed January session, 1903, may grant licenses of the first class named in said act to the proprietors, lessees or managers of *bona fide* hotels situated in unorganized towns and places in this state, upon such conditions, restrictions and regulations as they think the public good requires, in conformity with the provisions of said act.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 122.

AN ACT TO AMEND CHAPTERS 2 AND 112 OF THE PUBLIC STATUTES, AND TO PROVIDE FOR THE BETTER ENFORCEMENT OF THE LIQUOR LAWS.

SECTION

1. Illegal sale, etc., of spirituous liquor, how punished.
2. Illegal sale of cider, how punished.
3. Suspended sentence for first offense.
4. Forfeiture of recognizance for breach of condition of bond.
5. Meaning of words "spirit," "spirituous liquor," or "intoxicating liquor."
6. Public officers to institute prosecutions for second offenses; penalty for neglect.
7. Duty of court to order prosecution for second offense.

SECTION

8. Furnishing liquor in evasion of law to be deemed unlawful sale.
9. Town agents to enforce liquor laws; how chosen; powers, duties, and compensation.
10. Amendment of nuisance act.
11. Certain public officers to prosecute offenders; penalty for neglect.
12. Plea of *nolo contendere* not to be received.
13. Repealing clause.
14. Act not intended to conflict with or limit license law; takes effect when.

Be it enacted by the Senate and House of Representatives in General Court convened:

Illegal sale, etc., of liquor, how punished.

SECTION 1. Amend section 15 of chapter 112 of the Public Statutes by striking out all of said section after the word "be" in the third line and insert the following: Imprisoned in the

house of correction for ten days, and for any subsequent offense he shall be imprisoned in the county jail not less than one month or exceeding six months, so that said section 15 when amended shall read as follows: SECT. 15. If any person not being an agent of a town or city for the purpose of selling spirit shall sell or keep for sale any spirituous liquor in any quantity, he shall be imprisoned in the house of correction for ten days, and for any subsequent offense he shall be imprisoned in the county jail not less than one month or exceeding six months.

SECT. 2. Amend section 16 of said chapter by striking out all of said section and inserting the following: SECT. 16. If any person not being an agent of a town for the purpose of selling spirit shall sell or keep for sale cider in less quantities than one barrel, except when sold and delivered by the manufacturer at the press or in an unfermented state, he shall be imprisoned in the house of correction for ten days, and for any subsequent offense he shall be imprisoned in the county jail not less than thirty days nor exceeding six months.

Illegal sale of
cider, how
punished.

SECT. 3. Amend section 17 of said chapter by striking out all of said section and inserting the following: SECT. 17. Courts having jurisdiction over offenses specified in sections 15 and 16 of this act may suspend any sentence imposed by them on complaint, information, or indictment for a first offense, so long as the respondent refrains from violating any of the provisions of chapter 112 of the Public Statutes or amendment thereto. Sentences imposed for second offenses shall not be suspended, but shall be enforced by the court, without indulgence or delay.

Suspended
sentence for
first offense.

SECT. 4. Amend section 28 of said chapter by adding thereto the following: If any person giving bonds under this section, violates the conditions thereof, the recognizance shall be declared forfeited, and the court shall render judgment for the full amount of the recognizance, and whenever it is brought to the attention of the solicitor of the county in which the recognizance was entered into, he shall cause the recognizance to be forfeited at the first term thereafter and immediately cause proper proceedings to be had for the recovery of such forfeiture, and cause such proceedings to be prosecuted to final judgment and collection without indulgence or delay. For failure to do so, he shall be punished as provided in section 34 of chapter 112, and it shall also be sufficient ground for his removal from office.

Forfeiture of
recognizance
for breach of
condition of
bond.

SECT. 5. Strike out all of section 33, chapter 2, of the Public Statutes, after the word "all" in the second line, and insert in place thereof, distilled liquors, or rectified spirits, vinous, fermented, brewed, and malt liquors, wines, and any beverage, by whatever name called, containing more than one per cent. of alcohol by volume at 60 degrees Fahrenheit, so that said section 33, when amended, shall read as follows: SECT. 33. By the

Meaning of
words "spir-
it," "spiritu-
ous liquor," or
"intoxicating
liquor."

word "spirit," "spirituous liquors," or "intoxicating liquor," shall be intended all distilled liquors, or rectified spirits, vinus, fermented, brewed, and malt liquors and wines, and any beverage, by whatever name called, containing more than one per cent. of alcohol by volume at 60 degrees Fahrenheit.

Public officers
to institute
prosecutions
for second
offenses;
penalty for
neglect.

SECT. 6. All public officers upon whom the duty of enforcing the provisions of chapter 112 of the Public Statutes and amendments thereto, is now or hereafter imposed, shall, in the performance of their duty, cause indictments to be obtained, information filed or complaints made for second offenses whenever it is brought to their attention; that any person violating said chapter 112, or amendments thereto, has been previously convicted of any offense therein mentioned, and for any failure to comply with this act, they shall be subjected to the same fines and penalties as are now provided in sections 23 and 24 of said chapter, and it shall also be sufficient ground for their removal, as provided by law.

Duty of court
to order prose-
cution for sec-
ond offense.

SECT. 7. It shall be the duty of the court before whom any first offense liquor case is returned, upon having its attention called to the fact and proof made that the respondent has been previously convicted of selling or keeping for sale any liquors or beverages, the selling or keeping for sale of which is prohibited by chapter 112 of the Public Statutes, or amendments thereto, to quash the complaint, information or indictment, and cause a complaint or information to be made for a second offense by the county solicitor and have the same served and returned and brought before said court or before some other court having jurisdiction.

Furnishing
liquor in eva-
sion of law
deemed
unlawful sale.

SECT. 8. The procuring, furnishing, or giving away of spirituous liquors or any shift or device to evade the provisions of chapter 112 of the Public Statutes, or amendments thereto, shall be deemed unlawful selling within the provisions of said chapter, and the punishment shall be the same as in the case of selling or keeping for sale spirituous liquors. The words "furnishing or giving away," where they occur in this act, shall not apply to giving away spirituous liquors by a person in his private dwelling, unless said private dwelling is a place of public resort.

Town agents
to enforce
liquor laws;
how chosen;
powers,
duties, and
compensa-
tion.

SECT. 9. Each town shall at its annual meeting elect an agent to enforce the liquor laws within the limits of the town, who shall have all the powers and perform all the duties now pertaining to selectmen in such matters, including the right to file informations, as provided in chapter 81, Laws of 1899, and shall receive as compensation for his services three dollars per day for time actually spent in the performance of his duty, and his expenses. His accounts shall be audited, allowed and paid by the selectmen. If the town fails to elect a prosecuting agent the selectmen shall appoint a suitable person within one week after the date of said meeting, who shall hold office until another

is chosen, unless sooner removed by the selectmen. Any vacancy occurring in the office, for any cause, shall be immediately filled by the selectmen for the unexpired term.

SECT. 10. Amend section 1 of chapter 81 of the Laws of 1899 by striking out in the fifth line the words "of a majority of the selectmen" and inserting in place thereof the words, prosecuting agent. Nuisance act amended.

SECT. 11. Police commissioners, county and city solicitors, sheriffs, police officers and prosecuting agents of towns, shall, at the expense of the city, county or town, prosecute or cause to be prosecuted every person guilty of any violations of the provisions of chapter 112 of the Public Statutes, or amendments thereto, or of any laws governing the sale of liquor, hereafter enacted, of which they can obtain reasonable proof, and if they neglect or refuse to perform their duties, as specified herein, they shall be fined or forfeit three hundred dollars for each and every neglect, or be imprisoned in the house of correction for not more than thirty days or both, and their neglect and refusal shall be good ground for their removal from office, as provided by law. But this provision shall not be construed so as to prevent the town or city, by its officers, or any person from making a complaint or instituting and carrying on prosecutions for such offenses; and such complainant, if a town or city, by its officers, shall be entitled to all fines imposed and collected for said violation. If any of the officers mentioned in this section neglects for two weeks after being furnished with a written notice, under oath, of a violation of the law relative to the sale or keeping for sale of intoxicating liquors, with the names of the witnesses, or statement of other sources of proof, to institute proceedings thereon, any person may thereafter make complaint and shall be entitled to all fines imposed and collected for said violation. Certain public officers to prosecute offenders; penalty for neglect.

SECT. 12. The plea of *nolo contendere* shall not be received by the court in any prosecution or indictment for sale or keeping for sale of spirituous, intoxicating or malt liquors. Plea of *nolo* not to be received.

SECT. 13. Section 23 of chapter 112 of the Public Statutes, and amendments thereto are hereby repealed. Repealing clause.

SECT. 14. Nothing in this act shall be construed to in any way conflict with, limit or restrain any part or parts of an act passed at the January session, 1903, entitled "An act to regulate the traffic in intoxicating liquor," and this act shall be in force after the third Tuesday of May, 1903. Act not to conflict with or limit license law; takes effect when.

[Approved April 2, 1903.]

CHAPTER 123.

AN ACT RELATING TO THE PRINTING OF BALLOTS PROVIDED FOR IN AN ACT ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR," APPROVED MARCH 27, 1903.

SECTION

1. Number, form, and method of use.
2. At general elections, question to be printed on official ballots.

SECTION

3. Conduct of special meetings of voters.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Number,
form, and
method of use.

SECTION 1. That the secretary of state be required to furnish not less than 120,000 printed ballots containing the question to be voted upon by the cities and towns of this state on the second Tuesday of May, next, viz: "Shall licenses for the sale of liquor be granted in this city or town under the provisions of 'An act to regulate the traffic in intoxicating liquor,' passed at the January session of the general court, 1903?" and to distribute the same to the town and ward clerks, a reasonable time previous to said meetings.

Upon the said ballots containing said question shall be printed the word Yes at the left hand with a square near it and at the right hand the word No, with a square near it, and the voter desiring to vote Yes upon the said question shall make a cross in the square near the word "Yes," and the voter desiring to vote No shall make a cross in the square near the word "No." All ballots cast where no cross is made in a square shall not counted. The secretary of state shall cause to be printed at the bottom of each ballot, distributed to the town and ward clerks, a note in plain and conspicuous type as follows:

Every voter who wishes to vote Yes will make a cross in the square near the word "Yes." If he wishes to vote No, he will make a cross in the square near the word "No." If he make no cross in either square his ballot will not be counted.

Question on
official ballots
at general
elections.

SECT. 2. Whenever the sense of the voters of the towns and cities is taken at a general election upon the question stated in section 1 of this act, said question shall be printed upon the official ballot for said towns and cities, and at the bottom of said ballot, in conspicuous type in the manner and form above prescribed.

Conduct of
special meet-
ings of voters.

SECT. 3. The special meetings prescribed in section 31 of the act entitled "An act to regulate the traffic in intoxicating liquor," approved March 27, 1903, shall be conducted as provided by chapter 33 of the Public Statutes and chapter 78 of the Laws of 1897 and amendments thereto.

Takes effect
on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 124.

AN ACT TO ENCOURAGE THE PLANTING AND PERPETUATION OF FORESTS.

SECTION

1. Landowners planting timber trees entitled to rebate of taxes.

SECTION

3. [2.] Forestry commission may contract for seeds and seedlings.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. In consideration of the public benefit to be derived from the planting and cultivation of timber or forest trees, the owners of any and all land which shall be planted with timber or forest trees, not less than 1,200 to the acre, shall be entitled, from and after the first day of April, 1903, to a rebate of the taxes assessed upon said land as follows: For the first ten years after the land has been so planted, a rebate of ninety per cent. of all the taxes assessed upon said land; for the second period of ten years after such planting, a rebate of eighty per cent. of all said taxes; and for the third and final period of rebate after such planting, a rebate of fifty per cent. of all said taxes. Said rebate to be allowed only on condition that said planted trees are kept in a sound condition. A return of such planting shall be made to the selectmen when taking the annual inventory, which return shall be verified by the selectmen and made the basis of such tax exemption. After said trees have been planted ten years it shall be lawful for the owners to thin out the same so that not less than six hundred trees shall be left to the acre; but no portion of said planted land shall be absolutely cleared of trees during the period for which said rebate may be allowed.

SECT. 3. [2.] In order to facilitate the planting of trees as hereinbefore provided, the forestry commission is hereby authorized and directed to contract, without expense to the state, upon terms to be approved by the governor and council, with reputable nurserymen to provide, at a price to be determined upon, seeds and seedlings of timber or forest trees, to landowners for planting within this state in accordance with the terms of section 1 of this act.

[Approved April 2, 1903.]

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CHAPTER 125.

AN ACT TO DEFINE THE DUTIES OF THE STATE TREASURER WITH REFERENCE TO PUBLIC FUNDS.

SECTION

1. Deposit of funds in approved banks; distribution of interest on deposits.
2. Investment of funds of which state has exclusive control.

SECTION

3. Committee of executive council to examine securities.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Deposit of funds in approved banks; distribution of interest on deposits.

SECTION 1. The treasurer may deposit any portion of the public moneys, in his possession, in such national banks within the state, or the state of Massachusetts, or any such trust company, incorporated under the laws of, or doing business within, the state, or the state of Massachusetts, as shall be approved, at least once in six (6) months, by the governor and council, but the amount deposited in any one bank or trust company shall not at any one time exceed forty per cent. of its paid up capital and surplus. Other things being equal, those banks or trust companies shall receive preference which shall allow interest on daily balances. All interest received on such deposits shall be paid into the treasury of the state, excepting the interest upon such funds as are paid to the treasurer for distribution to the towns and cities of the state, and the interest shall be distributed to such towns and cities proportionately in the same manner as said funds are distributed.

Investment of funds of which state has exclusive control.

SECT. 2. All funds over which the state has exclusive control, aside from such sums of money as the treasurer may deem necessary to hold or deposit, as provided in section 1, for meeting current expenses, shall be invested by the treasurer, with the approval of the governor and council, in securities of the state, in the notes or bonds of the several counties, cities and towns thereof, in the scrip or bonds of the United States, or in the notes or bonds of any incorporated district of the state or of any city of the New England states whose net indebtedness at the time of purchase does not exceed five per cent. of the last preceding valuation of the property therein for the assessment of taxes.

Committee of council to examine securities.

SECT. 3. The governor shall appoint a committee of the council, which shall annually in the month of May, and as much oftener as occasion may require, examine the value of the notes and securities in charge of the treasurer, and report them to the governor and council, who may direct the treasurer to sell or collect notes or securities over which the state has exclusive control, and re-invest the proceeds, according to the provisions of section 2.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved April 2, 1903.]

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CHAPTER 126.

AN ACT PROVIDING FOR THE TAXATION OF BUILDING AND LOAN ASSO-
CIATIONS.

SECTION

1. Taxable by state, for what and at what rate.
2. Tax to be paid to town in which association is located.

SECTION

3. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Every building and loan association organized under the laws of this state shall pay to the state treasurer annually, on the first day of October, commencing October 1st, 1904, a tax of three quarters of one per cent., upon the whole amount paid in upon its capital stock or shares in force on April 1st, preceding, after deducting the value of all its real estate, wherever situated and the value of all loans secured by mortgage upon real estate situated in this state, bearing a rate of interest not exceeding five per cent. per annum. The premiums and fines received by building and loan associations from their members shall not be considered as interest and the deduction of the premium from the amount loaned shall not be construed as increasing the rate of interest paid by the borrower.

Taxable by state; for what and at what rate.

SECT. 2. The state treasurer shall on or before the first day of February following the time when said taxes have been paid, pay the amount of the tax so paid to the treasurer of the town or city where said association is located.

To be paid to town where association is located.

SECT. 3. Section 7 of chapter 65 of the Public Statutes, relating to the taxation of building and loan associations, and all other acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

Repealing clause: act takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 127.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 7 OF THE PUBLIC STATUTES, RELATING TO THE STATE HOUSE AND YARD.

SECTION

1. Duties of keepers of state house and yard.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Duties of keepers.

SECTION 1. That section 3 of chapter 7 of the Public Statutes be amended by inserting after the word "premises" in the first line of said section the words, and under the direction of the governor and council, so that said section as amended shall read as follows: SECT. 3. The keepers shall keep careful watch of the premises and under the direction of the governor and council provide suitable fuel for the state house; keep the offices therein properly warmed and swept, and all parts of the house and yard in good order and condition. They shall personally perform the duties provided for in this chapter and such other duties as may be prescribed from time to time by the governor and council.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 128.

AN ACT IN AMENDMENT OF CHAPTER 64, LAWS OF 1899, RELATING TO FIREMEN'S RELIEF FUND.

SECTION

1. State to pay \$2,000 annually, under certain contingencies.

SECTION

2. Enumeration of sections of former act.

Be it enacted by the Senate and House of Representatives in General Court convened:

Payment by state, when.

SECTION 1. Amend chapter 64, Laws of 1899, by inserting after section 2, a new section as follows: SECT. 3. In addition to said firemen's relief fund, in the event of the depletion of the treasury of the New Hampshire State Firemen's Association

below the amount necessary to meet its obligations, the state treasurer shall, having received a certified statement of such condition from the treasurer of said association, upon the order of the governor, pay to the treasurer of said association as trustee a sum not to exceed two thousand dollars annually.

SECT. 2. Further amend chapter 64, Laws of 1899, by changing the number of section 3 to section 4, and changing section 4 to section 5. Enumeration
of sections of
former act.

[Approved April 2, 1903.]

CHAPTER 129.

AN ACT TO AMEND SECTION 14 AND SECTION 15, CHAPTER 286 OF THE
PUBLIC STATUTES, RELATING TO THE SALARIES OF THE JUDGE AND
REGISTER OF PROBATE FOR BELKNAP COUNTY.

SECTION

1. Annual salary of judge of probate to be \$600.

SECTION

2. Annual salary of register of probate to be \$600.
3. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That section 14, chapter 286 of the Public Statutes be amended by striking out the word "four" in the fifth line of said section and inserting the word six, so that said line shall read as follows: In Belknap, six hundred dollars. Annual salary
of judge \$600.

SECT. 2. That section 15, chapter 286 of the Public Statutes be amended by striking out the words "four hundred and fifty" in the fifth line of said section and inserting the words six hundred, so that said line shall read as follows: In Belknap, six hundred dollars. Annual salary
of register
\$600.

SECT. 3. This act shall take effect on its passage. Takes effect
on passage.

[Approved April 2, 1903.]

CHAPTER 130.

AN ACT IN ADDITION TO AND IN AMENDMENT TO SECTION 10 OF CHAPTER 198 OF THE PUBLIC STATUTES, RELATING TO TRUSTEES OF ESTATES.

SECTION

1. Transfer by trustee after trust executed.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Transfer by trustee after trust executed.

SECTION 1. When the purposes for which any trust was created have been performed, the judge of probate may by license and decree authorize the trustee to transfer by suitable deed or conveyance any property remaining in his hands to such person as shall be entitled thereto.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act takes effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 131.

AN ACT IN AMENDMENT OF CHAPTER 262 OF THE PUBLIC STATUTES, RELATING TO CORONERS AND CORONERS' INQUESTS.

SECTION

1. Coroners' inquests, when holden.
2. If body buried by coroner, fees and expenses paid by county.
3. Coroner to be notified of death by violence; penalty for wilful removal of body; coroner to take charge of property found on body; certificate of death and permit

SECTION

for burial, to be issued by coroner when; justice to act if coroner cannot be secured; fees at coroners' inquests; fees of coroner for taking view; fees and expenses to be audited; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Coroners' inquests, when holden.

SECTION 1. That sections 1 and 2 of chapter 262 of the Public Statutes be, and the same hereby are, stricken out and the following inserted in place thereof: SECTION 1. The coroner shall take an inquest upon the dead body of any person whose death is supposed to have been occasioned by violence or casualty, within the county for which he is commissioned, whenever in his opinion the circumstances attending the death

of the person require an inquest, or whenever the majority of the selectmen of the town, the mayor of the city, or the solicitor for the county, in which the body is found, or the attorney-general, shall in writing direct an inquest. In all cases in which a coroner shall deem an inquest necessary he shall immediately notify the attorney-general or county solicitor of the holding of such inquest, and the attorney-general or solicitor may be present at the inquest and examine the witnesses.

SECT. 2. That section 16 of said chapter 262 be, and the same hereby is, stricken out and the following substituted in the place thereof: SECT. 16. When a coroner makes examination of the dead body of a stranger he shall cause the body to be decently buried, and if he certifies that he has made careful inquiry and that to the best of his knowledge and belief the person found dead is a stranger having no residence in any city or town in this state, his fees, with the actual expenses of burial, shall be paid by the county wherein the body was found.

If body buried
by coroner,
expense paid
by county.

SECT. 3. That said chapter 262 be and the same is hereby further amended by adding after said section 16 the following sections, viz: SECT. 17. The finder of the dead body of a person supposed to have come to his or her death by violence or casualty, shall immediately cause a coroner to be notified of such finding. Prior to the arrival of a coroner at the spot where such body is found no person shall move or in any way disturb the body, disarrange the clothing upon the same, or anything connected with the body or in the vicinity of the same and bearing evidence to the manner of death, except in cases in which the removal of the body may be necessary to preserve the same from loss or mutilation. The coroner shall make personal inquiry into the cause and manner of the death, and shall carefully reduce to writing every fact and circumstance tending to show the condition of the body and surroundings and the cause and manner of death. Any person who wilfully moves a body found as above, or destroys any of the marks or signs on or about the same, except under the direction of a coroner, shall be fined not exceeding one hundred dollars.

Coroner to be
notified of
death by vio-
lence; penalty
for wilful
removal of
body.

SECT. 18. The coroner shall take charge of any money or other personal property found upon or near the body, and shall deliver the same to the relatives of the deceased or to the person legally entitled to the same. In case the deceased was a stranger the property taken as above provided shall be safely kept by the coroner sixty days, and if, upon diligent inquiry, no relatives of the deceased have then been found and no legal claimant of the property, the coroner shall deliver the property to the commissioners for the county in which the body was found. Property so delivered shall be applied for the benefit of the county, subject to the legal rights of any claimant who may thereafter appear.

Coroner to
take charge
of property
found on
body.

Certificate of death and permit for burial, to be issued by coroner, when.

SECT. 19. In cases in which a coroner takes a view of a dead body and the deceased person did not have the attendance of a physician in his or her last sickness, the coroner, upon investigation of the facts in the case, may issue and sign the certificate of death and the permit for burial shall be issued upon such certificate; but this act shall not be construed to deprive town clerks of similar authority as given them under section 5, of chapter 173, of the Public Statutes.

Justice to act if coroner cannot be secured.

SECT. 20. In cases in which the services of a coroner cannot be secured any justice of the peace and quorum shall have the power, under written authority from the attorney-general, or the solicitor for the county, a majority of the selectmen of the town, or the mayor of the city, in which the body is found, to hold an inquest, and in holding such inquest such justice of the peace shall be amenable to all of the provisions of this chapter governing coroners.

Fees at coroners' inquests.

SECT. 21. The following fees shall be allowed in connection with each coroner's inquest, to be paid by the county:

To the coroner, three dollars a day and his necessary expenses.

To the jurors, each two dollars a day and travel to and from the place of inquest, each mile six cents.

To the officer for summoning and attending the jury, two dollars a day and travel to and from the place of inquest, each mile six cents.

Fees for taking view.

SECT. 22. Coroners shall be allowed three dollars and actual necessary expenses for taking the view of a dead body and making a certificate in cases in which no inquest is holden.

Fees and expenses to be audited.

SECT. 23. All fees and expenses under this chapter shall be audited and allowed by the county commissioners for the county in which the inquest or view is holden, subject however to the right of either party upon a disagreement to submit the adjudication to the superior court.

Repealing clause; act takes effect on passage.

SECT. 24. Section 28 of chapter 287 of the Public Statutes and all acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved April 2, 1903, 10.24 A. M.]

CHAPTER 132.

AN ACT TO AMEND SECTION 16 OF CHAPTER 79 OF THE SESSION LAWS OF 1901, RELATING TO THE TAKING OF DEER.

SECTION 1. Protection of deer.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 16, chapter 79, of the Laws of 1901, by striking out the words "and the first fifteen days of December" after the word "November." Also amend said section by striking out the word "and" after the word "Carroll," and inserting in place thereof a comma. Further amend said section by striking out all after the word "Coös" and inserting in place thereof the following: and Grafton, and in the towns of Danbury, Hill, Andover and Wilmot in Merrimack county, so that said section as amended shall read as follows: SECT. 16. No person shall hunt, catch, kill or destroy any deer within the limits of this state except during the months of October and November in each year, and then only in the counties of Carroll, Coös, Grafton, and in the towns of Danbury, Hill, Andover and Wilmot in the county of Merrimack.

Protection of deer.

[Approved April 2, 1903.]

CHAPTER 133.

AN ACT PROVIDING FOR A STATE SYSTEM OF HIGHWAY CONSTRUCTION AND IMPROVEMENT, AND FOR THE APPOINTMENT OF HIGHWAY ENGINEERS.

SECTION

1. Governor and council to have general control.
2. Highway engineers to be appointed; compensation.
3. Engineers to procure highway maps; expense, how borne; refusal of selectmen to prepare map, penalty.
4. Map of continuous main highways throughout state.
5. Examination of routes for state highways.
6. Plans for future construction.
7. Bill for inauguration of system at next general court.

SECTION

8. Hearings on proposed highway legislation.
9. Plans for construction and repair when state aid is granted.
10. State engineer to advise local officers.
11. Governor and council may propose plan concerning state aid.
12. Governor and council to report recommendations; report to include maps, plans, etc.
13. Annual appropriation of \$7,500.
14. Act of March 5 not affected hereby; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Governor and council to have general control.

SECTION 1. The general supervision, control and direction of the business to which this act shall relate, shall be and hereby are, committed to the governor and council.

Highway engineers to be appointed; compensation.

SECT. 2. The governor and council may appoint a competent engineer or engineers, who are hereby designated as highway engineers, and one of them at least may be an experienced road builder. The compensation of said highway engineers shall be fixed by the governor and council, and they shall be allowed traveling expenses while in the actual performance of their public duties. The engineer may have an office with the necessary furniture and stationery for the same, where his records shall be preserved, and which office shall be kept open at such time as his business may require whenever the governor and council deem it advisable that such office should be provided.

Engineers to procure highway maps; expense, how borne; refusal of selectmen to prepare map, penalty.

SECT. 3. It shall be the duty of the highway engineer or engineers to prepare specifications of directions for the making of a highway map of each city, town and place in the state for the purposes herein specified. A highway engineer upon written authorization of the governor and council may require any town or city to cause such a local highway map of that town or city to be prepared at local municipal expense, and to return such map to a designated highway engineer within such time after notice of the requirement to the mayor or chairman of the board of selectmen, as the case may be, as the said highway engineer may deem sufficient. Such local map shall represent the proper location of the compact parts of the town or city, the rivers, bridges and all highways within the boundaries of the town or city, and all connections at the town boundaries with the highways of the adjoining municipalities and with state roads. The expense of making such local maps shall be borne by the local municipality upon which requisition is made, unless the highway engineer shall find it undesirable or impracticable for any reason to require the preparation of the highway map of a town or place by local authority, in which case he may cause it to be made at the state's expense. The selectmen of any town who refuse to comply with the requirement of the highway engineer in this behalf, within the time limited by him for the preparation and return of such local map, shall be subject to a fine of one hundred dollars (\$100) to be recovered by the county solicitor of the county in which the delinquents reside, and all such sums recovered shall be paid to the state treasurer, to be part of a fund to be used in aid of the work authorized by this act.

SECT. 4. The governor and council may authorize the highway engineers or a highway engineer to prepare a plan or map exhibiting a system of continuous main highways which shall include every town in the state, and indicate the highway connections and relations of such towns with each other and with the system or lines of continuous main highways to be outlined as aforesaid.

Map of continuous main highways throughout state.

SECT. 5. Upon the completion of such plans or maps said engineer or engineers may, under the direction of the governor and council, and by such method and to such extent as the latter shall direct, make a careful examination first, of the routes over which through state roads have already been inaugurated; second, of all the routes over which through lines of state highways are now deemed to be feasible or are recommended as necessary components of through lines for future development; and, third, of existing highways wherever situated, if reasons are adduced making special examination of them advisable and of the highway conditions and needs of any town or place which for any reason is now accorded state aid or which shall by petition addressed to the governor and council, be represented to be in need of state aid, in the construction or repair of local or through highways.

Examination of routes for state highways.

SECT. 6. The highway engineer or engineers may, on the basis of information obtained by maps and inspections aforesaid, and by aid of such other information as he may find available, and under the direction of the governor and council, prepare a plan or plans for the future construction and improvement of highways by state aid or state control, either with or without co-operation of the town or cities, as may be deemed, upon full examination of the subject by the governor and council, to be most practicable and advantageous for a systematic and continuous improvement of the highways of the state.

Plans for future construction.

SECT. 7. It shall be the duty of the governor and council with such advice and co-operation as they may require of the highway engineer or engineers, and with the advice and assistance of such other persons as the governor and council may invite to co-operate and of such persons as they may employ for the purpose, to prepare a bill for submission to the next general court, which bill shall provide fully and in detail for the inauguration of a system of state work and state expenditure in the future construction and repairs of local and state highways. Said bill shall also have provisions governing the administration of that business, as far as it may be assumed by the state, and shall designate the method by which the funds necessary for carrying out the provisions of the proposed act shall be provided,—whether entirely by the state,—whether in part by the state and in part by the towns,—whether by current assessment

Bill for inauguration of system at next general court.

and appropriation,—whether by issuance of bonds,—or whether such funds shall be supplied otherwise than by the methods above indicated.

Hearings on proposed legislation.

SECT. 8. The governor and council may set apart days and times for hearings on the subject of such proposed general highway law and at such places within the state or elsewhere as they may designate; and they may invite suggestions to be submitted orally or in writing to the same end.

Plans for construction and repair when state aid is granted.

SECT. 9. It shall be the duty of the highway engineer or engineers, upon direction and requisition of the governor and council, to prepare plans and specifications for the construction and repair of any road for which appropriation is made, either in whole or in part at the expense of the state; to advise the governor and council as to proposed contracts for such work; to supervise it in its progress; and, upon its alleged completion, examine and report as to whether the result conforms to the requirements and specifications of the engineer and the contract in the particular case. The duties prescribed for the highway engineer or engineers under this section are authorized hereby only on condition that those duties are not otherwise provided for by law, by special acts heretofore passed, or by lawful designation of other persons for the same duty by the governor and council.

State engineer to advise local officers.

SECT. 10. Local highway officers, committees and agents having charge of the construction of local municipal highways may have the advice of a highway engineer appointed by the governor and council as to methods of construction of proposed roads and repairs of existing roads, and the service and expense of such engineer in that business shall not be a charge upon any local municipality or municipal officers, but the services aforesaid shall be rendered only on such occasions and to such extent as the governor and council approve.

Governor and council may propose plan concerning state aid.

SECT. 11. The governor and council may, after such investigation as they find necessary and with or without the advice of the highway engineer or engineers, propose a plan to be embodied in a state highway law, to be submitted to the next general court, whereby the state aid to be accorded the towns and places on account of special necessities with respect to highways and bridges, the maintenance and construction of roads in unincorporated places and in mountainous regions and of roads provided by the state for better access to public waters, as well as state work on highways not intended to be carried on in conjunction with local authorities, shall be treated and governed by general statutes adapted to the requirements of all localities in the state and the different undertakings involved in the expenditure of state funds independently of the municipalities or in the expenditure of local and special funds in conjunction with state funds for highway purposes.

SECT. 12. The governor and council are directed to prepare a report containing their recommendations as embodied in the proposed highway law or laws. This report shall state the reasons which may be assigned in favor of one plan or the several plans which may be reported. Such report shall also contain estimates of the expense involved in each plan suggested, as far as it is practicable, in advance, to estimate such probable expense. All maps, plans, statistical tables, and illustrations, that may be deemed useful and available to a better understanding of the proposed report and proposed highway law or laws, may be incorporated with said report. Such number of copies of the report, with the accompanying or supplemental documents, may be printed at the expense of the state, as the governor and council may deem advisable. The extent of the material to be incorporated in this report shall be determined by the governor and council.

Governor and council to report recommendations; maps, plans, etc., to be included.

SECT. 13. The sum of seven thousand five hundred dollars (\$7,500) annually for each of the two years ensuing after the passage of this act or so much thereof as the provisions of this act and the orders of the governor and council may require not exceeding in the total the sum aforesaid, together with such additional sum as may be necessary to meet the required printing expenses, is hereby appropriated for the purpose of this act, and the governor is hereby authorized to draw his warrant therefor on any money in the treasury not otherwise appropriated.

Annual appropriation of \$7,500.

SECT. 14. Nothing in this act shall be construed to repeal or modify any of the provisions of the act entitled "An act to provide for a more economical and practical expenditure of money appropriated by the state for the construction and repairs of highways," approved March 5, 1903, except that the governor and council are hereby authorized, notwithstanding said act, to appoint one or more highway engineers for the purpose of that act to act in the district created by that act. All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

Act of March 5 not affected; repealing clause; act takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 134.

AN ACT ESTABLISHING THE OFFICE OF MEDICAL REFEREE AND AMENDING CHAPTER 262 OF THE PUBLIC STATUTES, RELATING TO CORONERS' INQUESTS.

SECTION

1. Office of medical referee created.
2. Number to be appointed for each county.
3. Tenure of office.
4. Referees to be sworn; to view bodies in case of violent death.
5. Examinations, when made and how conducted.
6. Proceedings upon finding of death by violence.
7. Duty of attorney-general and solicitors.
8. Prosecuting officers not concluded by report of natural death.
9. Referee may employ chemist.

SECTION

10. Dead bodies, to whom delivered after examination.
11. Referee to take charge of money or property on body.
12. Accounts of referees to be audited; fees of referees.
13. Compensation of additional physicians.
14. Record books and blanks to be provided.
15. Referees to serve writs in certain cases.
16. Repealing clause.
17. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Office of medical referee created.

SECTION 1. The governor shall nominate and with the advice and consent of the council, shall appoint, in each county able and discreet men, learned in the science of medicine, to be medical referees in such county as they shall reside.

Number for each county.

SECT. 2. The number of medical referees, appointed as provided in the preceding section, shall be as follows: For the counties of Merrimack, Cheshire, Sullivan, Belknap, Carroll and Strafford, one each. For Rockingham, and Coös, two each, and for Grafton, and Hillsborough, three each; and whenever from ill health or absence from the state said referee can not act, the county solicitor shall designate a referee from an adjoining county, who shall perform the duties required.

Tenure of office.

SECT. 3. Said medical referees shall hold their office a term of five years from the time of their respective appointments, but shall be liable to removal from office by the governor and council at any time for cause.

Referees to be sworn; to view bodies in case of violent death.

SECT. 4. Each medical referee shall, before entering upon the duties of his office, be duly sworn for the faithful performance of his duty, and shall make examination as hereinafter provided, upon the view of the dead bodies of such persons only as are supposed to have come to their deaths by violence, or unlawful act.

Examinations, when made and how conducted.

SECT. 5. When a medical referee has notice that there has been found, or is lying within his county, the dead body of a person who is supposed to have come to his or her death by violence or unlawful act, he shall forthwith repair to the

place where such body lies, and take charge of the same, and if, on view thereof and personal inquiry into the cause and manner of death, he deems a further examination necessary, he shall at once notify the county solicitor of said county, and upon being authorized by said solicitor in writing, shall make an autopsy in the presence of two or more discreet persons, one of whom shall be a physician whose attendance he may compel by subpoena if necessary, and shall then and there reduce or cause to be reduced to writing every fact and circumstance tending to show the condition of the body and the cause and manner of death, together with the names and addresses of said witnesses giving evidence to which record he shall subscribe.

SECT. 6. If upon such view, with personal inquiry, or autopsy, as is required by the preceding section, said referee is of the opinion that the death of the person was caused by violence, criminal or otherwise, he shall at once notify the attorney-general and the county solicitor, and file with each a duly attested copy of the record of the case. Also he shall make a return of the death to the city or town clerk, as required by the laws of the state, said certificate containing all the facts necessary to complete the record as far as possible—as well as a personal description of the deceased for identification.

Proceedings
on finding of
violent death.

SECT. 7. The attorney-general or county solicitor on receiving the report of the medical referee and finding some person or persons are probably criminally implicated, shall proceed to execute the laws of the state governing the office which they hold, and shall direct the holding of witnesses as they shall deem necessary.

Duty of attorney-general
and solicitors.

SECT. 8. If a medical referee reports that a death was not caused by violence, or unlawful act and the state's attorney or county solicitor is of a contrary opinion, nothing in this act shall be construed to prevent either of these officers directing an inquest in accordance with this act.

Report of natural death not
conclusive.

SECT. 9. The medical referee, with the advice and consent of the attorney-general or county solicitor, may, if he deems necessary, call a chemist or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to the death, and such chemist or other expert shall be entitled to such compensation for his services as the medical referee shall certify to be just and reasonable. A clerk may also be employed to reduce to writing the results of the medical examination, autopsy, etc., and who shall be sworn and shall be allowed reasonable compensation.

Referee may
employ
chemist.

SECT. 10. The medical referee, upon the completion of his examination, shall deliver the dead body, upon their claim therefor, to one or more of the persons hereinafter named, and they shall be entitled thereto as follows: First, the husband or wife, as the case may be. Second, the next of kin. Third,

Dead bodies,
to whom delivered after
examination.

any friend of the deceased. But if the dead body is unidentified or unclaimed for a period of not less than forty-eight hours following the view thereof, the medical referee shall deliver the body to the overseer of the poor in the town, or to the county commissioner, who shall decently bury the same, or, with the consent of the commissioners or the overseer, it may be sent to the medical department of Dartmouth College, to be used for the advancement of the science of anatomy and surgery as provided for by the statutes.

Referee to take charge of money or property on body.

SECT. 11. In all cases arising under the provisions of this act, the medical referee shall take charge of any money or other personal property of the deceased, found upon or near the body, and deliver the same to the person or persons entitled to the same; or, if there is any doubt regarding to whom it shall be delivered, this fact shall be made known to the judge of probate for the county, whose directions in the case shall be followed.

Accounts of referees to be audited; fees.

SECT. 12. Every medical referee shall render an account of the expenses of each case, including his fees, to the county solicitor, who shall audit and approve the same before it is paid by the county treasurer, and the fees allowed the examiner shall not exceed the following, viz: For a view and inquiry without an autopsy, five dollars; for a view and autopsy—twenty-five dollars; and for travel at the rate of ten cents a mile to and from the place of view.

Compensation of additional physicians.

SECT. 13. When it is deemed necessary by the medical referee and county solicitor to have a physician or surgeon present at an autopsy as one of the witnesses, such physician or surgeon shall be allowed a reasonable compensation to be audited by the medical referee and county solicitor.

Record books and blanks to be provided.

SECT. 14. Upon the passage of this act, the attorney-general and secretary of state shall agree upon the form of record books, blank returns, and other papers necessary for medical referees to carry out the provisions of this act, and the same shall be printed at the expense of the state and distributed to the several referees, who shall take care of the same, entering all the work and reports of his office, keeping the books open for the inspection of the attorney-general and county solicitor; but whenever a medical referee resigns or is removed from office, he shall turn all the books and papers pertaining to the office over to his successor.

Referees to serve writs in certain cases.

SECT. 15. Sections 4 and 6 of chapter 212 of the Public Statutes are hereby amended by striking out the word "coroner" wherever it appears in said sections and inserting instead thereof the words, medical referee, so that the duties required by said sections to be performed by a coroner shall be performed by a medical referee.

SECT. 16. Chapter 262 of the Public Statutes and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing clause.

SECT. 17. This act shall take effect upon its passage. Takes effect on passage.

[Approved April 2, 1903, 1:05 P. M.]

CHAPTER 135.

AN ACT AMENDING SECTIONS 37, 38, AND 40 OF CHAPTER 59 OF THE SESSION LAWS OF 1895, AS AMENDED BY CHAPTER 25 OF THE LAWS OF 1901, IN RELATION TO THE MILITIA.

SECTION

1. Officers of active militia on peace footing; regimental and battalion field and staff officers; brigade commander and staff.

SECTION

2. Compensation for military service.
3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That sections 37, 38, and 40 of chapter 59 of the Laws of 1895, as amended by chapter 25 of the Laws of 1901, be amended. Officers of active militia on peace footing.

That section 37 shall be amended by adding thereto in the third line, after the words "quartermaster-sergeant," the words, one commissary-sergeant, and adding thereto in the eleventh line after the words "quartermaster-sergeant," the words, one commissary-sergeant, so that said section shall read: SECT. 37. On a peace footing, to each troop of cavalry there shall be one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, one commissary-sergeant, five sergeants, five corporals, two trumpeters, and not more than fifty nor less than thirty privates. To each company of infantry there shall be one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, four corporals, two musicians, and not more than forty-four nor less than twenty privates. To each four-gun battery there shall be one captain, one senior first lieutenant, one junior first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, one commissary-sergeant, five sergeants, eight corporals, two trumpeters, and not more than fifty-nine nor less than thirty-six privates. To the signal corps there shall be one sergeant, and not more than eight privates; and to the hospital corps, one hospital steward, and not less than eight nor more than twelve privates. In actual service, when the exigency of

the case requires it, the commander-in-chief may by proclamation authorize enlistments to the maximum standard of similar organizations in the army of the United States, and when the exigency ceases, he shall by proclamation order the reduction of such organizations, in the most expedient way, to the limit on a peace footing.

Regimental
and battalion
field and staff
officers.

That section 38 shall be amended by adding thereto in the eleventh line, after the word "vacant," the words, one commissary, so that said section shall read: SECT. 38. To each regiment of infantry there shall be one colonel, one lieutenant-colonel, one major for each four companies, and a regimental staff to be appointed by the colonel and removable at his pleasure, to consist of one surgeon with the rank of major, one assistant surgeon with the rank of captain, both of whom shall be graduates of some incorporated school of medicine and shall be practicing physicians, one paymaster who shall be the mustering officer and who shall give the bond required in section 23, and one chaplain, one adjutant, one quartermaster who shall act as paymaster when the office of paymaster is vacant, one commissary, each with the rank of captain, and one inspector of rifle practice, with the rank of first lieutenant, and a non-commissioned staff, to consist of one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital steward who shall be a registered pharmacist, one drum-major, and one chief trumpeter, who shall be regularly enlisted.

Brigade com-
mander and
staff.

That section 40 shall be amended by striking out the words "one commissary" in the ninth line after the word "major," and inserting in the eighth line after the word "practice," the words, one commissary, so that said section shall read: SECT. 40. To each brigade there shall be a brigadier-general, who shall appoint and may remove at pleasure one assistant adjutant-general, one medical director who shall be a graduate of some incorporated school of medicine and a practicing physician, each with the rank of lieutenant-colonel; one assistant inspector-general who shall be the mustering officer for unattached companies, one judge-advocate who shall be a counsellor-at-law, one inspector of rifle practice, one commissary and one quartermaster, each with the rank of major; two aides-de-camp each with the rank of captain; and a non-commissioned staff consisting of one sergeant-clerk, one trumpeter, and one color-bearer, each of whom shall rank as sergeants of cavalry; one quartermaster-sergeant, who shall rank as post quartermaster-sergeant; and one hospital steward who shall be a registered pharmacist, all of whom shall be regularly enlisted. He shall also enlist, or cause to be enlisted, a signal corps and a hospital corps. The assistant inspector-general of the brigade shall be liable to be detailed as assistant to the inspector-general, in which case he shall report directly to the inspector-general.

SECT. 2. That section 98 of chapter 95 [59] of the Laws of 1895, as amended by chapter 25 of the Laws of 1901, be amended by striking out the words "two dollars" after the words "band musicians" in the sixteenth line and inserting in the place thereof the words, three dollars, so that said section shall read: SECT. 98. The adjutant-general shall act as paymaster-general, and shall have the general charge and supervision of all expenses and pay for the militia in the service of the state. There shall be paid for attendance and performance of duty of such officers and soldiers as shall be specially ordered for duty by the commander-in-chief, or to attend encampments, parades, and schools of instruction as provided in this title, to each the following sum for each day actually on duty, the inspector-general excepted: To brigadier-generals, seven dollars; to colonels, six dollars; to lieutenant-colonels, five dollars; to majors, four dollars and fifty cents; to captains mounted, four dollars; to captains not mounted, three dollars and fifty cents; to lieutenants mounted, three dollars and fifty cents; to lieutenants not mounted, three dollars; to non-commissioned staff officers, two dollars and fifty cents; to first sergeants, two dollars and fifty cents; to band musicians, three dollars and fifty cents; to sergeants and corporals, two dollars; to musicians and privates, two dollars; *provided* that the commander-in-chief may in his discretion order the proper officers to purchase and issue rations to the enlisted men, during an encampment, in which case the actual cost of the rations for each man shall be deducted from his pay for attendance at such encampment.

Compensation for military service.

SECT. 3. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 136.

AN ACT TO AMEND CHAPTER 40, LAWS OF 1893, RELATING TO
INSPECTORS OF BUILDINGS.

SECTION

1. Town appointing inspector may regulate construction of all buildings.
2. Building plans to be approved by inspector; provision for appeal.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Town may regulate construction of all buildings.

SECTION 1. Amend section 1, chapter 40, Laws of 1893, by striking out after the word "town" in the sixth line, the words "which shall be used in whole or in part for mercantile, commercial, manufacturing, or public purposes, or as tenement houses," and striking out in line eight, after the word "erected," the words "for such purposes" and inserting the words, or remodeled; so that section 1 as amended shall read: SECTION 1. Any city or town may appoint an inspector of buildings for such city or town, prescribe his duties, and fix his compensation. And any city or town which shall appoint such inspector, may, by ordinance or by by-law, prescribe regulations for the construction and maintenance of all buildings in such city or town; and all buildings hereafter erected or remodeled in such city or town shall conform to such regulations.

Inspector to approve plans; appeal.

SECT. 2. Amend section 2, chapter 40, Laws of 1893, by inserting after the word "erect" in the first line, the words, or remodel, and striking out after the word "building" in line two the words "which is intended to be used in whole or in part for mercantile, commercial, manufacturing or public purposes, or as a tenement house," and inserting after the word "erecting" in line five the words, or remodeling; striking out in the eighth line after the word "building," the words "intended for such purposes" and inserting in line eight after the word "erected" the words, or remodeled, so that section 2 as amended shall read: SECT. 2. Any person who shall hereafter intend to erect or remodel any building, in any city or town which has appointed a building inspector, shall, before erecting or remodeling such building, submit the plans therefor to such inspector for his examination and approval, under the regulations prescribed by the city or town. And no building shall be erected or remodeled in any such city or town without the approval of the plans therefor by such inspector so far as the same relates to the building rules of such city or town or the safety of such building after erected for the purpose for which it is designed.

If any such inspector shall refuse to approve of any plan submitted to him as aforesaid, any person aggrieved thereby may appeal from the decision of such inspector to the superior court for the county in which such city or town is situated, either in term time or vacation, and said court shall make such orders thereby as justice may require.

SECT. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Repealing
clause; act
takes effect
on passage.

[Approved April 2, 1903.]

CHAPTER 137.

JOINT RESOLUTION FAVORING THE ESTABLISHMENT OF A NATIONAL FOREST RESERVE IN THE WHITE MOUNTAIN REGION.

Preamble; national forest reserve favored.

WHEREAS, certain permanent and summer residents of this state have taken steps to memorialize congress for the establishment of a national forest reserve in the White Mountain region; and

Preamble.

WHEREAS, the establishment of such a reserve would perpetuate valuable forest growths and forever preserve the head waters of several important streams and thus benefit the commerce, industry and agriculture of all the New England states save one; and

WHEREAS, the White Mountain region is of increasing importance as a pleasure resort to fully one quarter of the entire population of the country who reside within easy reach of it; therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That the legislature of New Hampshire hereby expresses its approval of the proposition to establish a White Mountain national forest reserve.

National forest
reserve
favored.

That the consent of the State of New Hampshire be and is hereby given to the acquisition by the United States by purchase, gift, or condemnation according to law, of such lands in this state as in the opinion of the federal government, may be needed for the establishment of a national forest reserve in the White Mountain region.

That power is hereby conferred upon congress to pass such laws as it may deem necessary to the acquisition of lands in this state for the purposes of such a national forest reserve.

That power is hereby conferred upon congress to pass such laws and to make, and provide for the making of, such rules and regulations, of both civil and criminal nature, and provide punishment for the violation thereof, as, in its judgment, may be necessary for the management, control and protection of such lands as may from time to time be acquired by the United States under the provisions of this joint resolution: *Provided*, that the State of New Hampshire shall retain a concurrent jurisdiction with the United States in and over such lands so far that civil process in all cases, and such criminal process as may issue under the authority of the state against any person charged with the commission of crime without or within said jurisdiction, may be executed thereon in like manner as if this joint resolution had not been passed.

That the senators and representatives in congress from this state are hereby requested to urge upon congress the importance of prompt and favorable action on behalf of the proposition to establish a White Mountain national forest reserve.

[Approved January 20, 1903.]

CHAPTER 138.

JOINT RESOLUTION APPROPRIATING MONEY TO BE EXPENDED FOR A MONUMENT AT VICKSBURG, MISS.

Appropriation of \$5,000.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$5,000.

That the sum of five thousand dollars or so much thereof as may be necessary be, and the same is hereby appropriated for the purpose of procuring and erecting a suitable monument at Grant's headquarters in the United States National Military Park at Vicksburg as a memorial to mark and honor the achievements of the members of the three New Hampshire organizations who participated in the siege of Vicksburg, namely the Sixth, Ninth and Eleventh infantry regiments.

That the governor of the state be, and is hereby authorized to appoint a commission consisting of three members, being one from each of the above organizations whose duty it shall be to select and erect said monument. The members of the commission shall serve without pay except for necessary traveling expenses which shall be paid from the amount herein appropriated.

[Approved February 10, 1903.]

CHAPTER 139.

JOINT RESOLUTION TO PROVIDE FOR A FOREST EXAMINATION OF THE
WHITE MOUNTAIN REGION.

Examination authorized; appropriation of \$5,000.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the forestry commission be and hereby is authorized and directed to procure, upon terms to be approved by the governor and council, a general examination of the forest lands of the White Mountain region by employees of the bureau of forestry in the department of agriculture at Washington, whose report shall be laid before the next session of the general court; and the governor is hereby empowered to draw his warrant for a sum not exceeding five thousand dollars upon any money in the treasury not otherwise appropriated to meet the expense of such examination.

Examination
authorized;
appropriation
of \$5,000.

[Approved February 24, 1903.]

CHAPTER 140.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DEAF MUTE
MISSION.

Annual appropriation of \$150.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the sum of one hundred and fifty dollars annually be appropriated for the use of the Granite State Deaf Mute Mission during the coming two years and the governor is hereby authorized to draw his warrant for the same from the money appropriated for the support and education of indigent deaf and dumb persons of this state, under chapter 86 of the Public Statutes entitled "State aid to indigent deaf and dumb, blind and feeble-minded persons."

Annual appro-
priation of
\$150.

[Approved February 24, 1903.]

CHAPTER 141.

JOINT RESOLUTION IN FAVOR OF CHARLES H. ROBERTS.

Allowance of \$9,800.

*Resolved by the Senate and House of Representatives in
General Court convened:*

Allowance of
\$9,800.

That Charles H. Roberts be allowed the sum of seven thousand dollars and interest upon the same, computed at four per centum from January, 1893, amounting to twenty-eight hundred dollars, in all the sum of ninety-eight hundred dollars, in full for his claim for services and expenditures under his contract with the state to prosecute the state's claim for interest and the refunding of the direct tax-money. The same to be paid out of any money in the treasury not otherwise appropriated, and the governor is authorized to draw his warrant therefor.

[Approved February 25, 1903.]

CHAPTER 142.

JOINT RESOLUTION TO PROVIDE FOR COMPLETING THE PAINTING AND
DECORATING OF THE WALLS OF THE STATE LIBRARY BUILDING.

Appropriation of \$1,000.

*Resolved by the Senate and House of Representatives in
General Court convened:*

Appropriation
of \$1,000.

That the governor and the trustees of the state library as custodians of the state library building are hereby authorized and instructed to cause the walls of the judges' suite, the art gallery, the clerk of court's room and the smoking-room in said building to be painted and decorated in a proper manner, and the governor is hereby authorized to draw his warrant for a sum not exceeding one thousand dollars, to pay the expenses incurred in carrying into effect this resolution, upon any money in the treasury not otherwise appropriated.

[Approved March 3, 1903.]

CHAPTER 143.

JOINT RESOLUTION APPROPRIATING MONEY TO AID DARTMOUTH COLLEGE
IN THE EDUCATION OF NEW HAMPSHIRE STUDENTS.

Preamble; annual appropriation of \$20,000.

WHEREAS, in the education of New Hampshire students, Preamble.
Dartmouth College is annually expending more than twenty-five thousand dollars, above all amounts received for tuition or from grants by the state or its citizens, and the policy of aiding the college in its educational work by annual appropriations has become definitely established by the state,

Resolved by the Senate and House of Representatives in General Court convened:

That in recognition of the eminent service rendered by Dartmouth College in the cause of higher education and for the general advancement of learning, the sum of twenty thousand dollars shall be appropriated and paid out of the state treasury to the trustees of Dartmouth College, on the warrant of the governor, on the first day of September each year for a period of two years next after the passage of this resolution, for use by said college in its educational work. Annual appropriation of \$20,000.

[Approved March 3, 1903.]

CHAPTER 144.

JOINT RESOLUTION APPROPRIATING MONEY TO COMPLETE THE PAYMENT
OF EXPENSES OF THE RECENT CONSTITUTIONAL CONVENTION.

Appropriation of sum found to be necessary.

Resolved by the Senate and House of Representatives in General Court convened:

That his excellency the governor be authorized to draw his warrant for such a sum as may be necessary,—in the judgment of his excellency and the honorable council,—to pay the expenses of the convention to revise the constitution held in December, 1902, not provided for by the appropriations heretofore made, and for that purpose to use the unexpended balances of the convention to revise the constitution held in 1876 and 1889, and the remainder, if required, from any money in the treasury not otherwise appropriated. Appropriation of sum found to be necessary.

[Approved March 3, 1903.]

CHAPTER 145.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE STATE HOSPITAL.

Annual appropriation of \$30,000.

Resolved by the Senate and House of Representatives in General Court convened:

Annual appropriation of \$30,000.

That the sum of thirty thousand dollars, annually, for the years 1903 and 1904, be and is hereby appropriated for the purpose of the erection of an addition, or annex, to the Chandler wing and to the Rumford wing, the construction of five fire-proof stairways, and providing plumbing in the Peaslee building, in accordance with plans and specifications to be approved by the governor and council; said sums to be expended under the direction of the trustees of said institution; and the governor is hereby authorized to draw his warrant for said sums, for the purposes aforesaid, out of any money in the treasury not otherwise appropriated.

[Approved March 3, 1903.]

CHAPTER 146.

JOINT RESOLUTION MAKING APPROPRIATION FOR REPAIRS ON BUILDINGS
ERECTED BY THE STATE FOR THE NEW HAMPSHIRE VETERANS' ASSOCIATION AT THE WEIRS.

Appropriation of \$1,500.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of \$1,500.

That the sum of fifteen hundred dollars be appropriated for the necessary repair of buildings erected by the state, for the use of the New Hampshire Veterans' Association at The Weirs—the same to be expended by an agent to be appointed by the governor with advice of the council, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury, not otherwise appropriated.

[Approved March 3, 1903.]

CHAPTER 147.

JOINT RESOLUTION IN FAVOR OF JOHN K. LAW AND OTHERS.

Allowances to sundry persons.

Resolved by the Senate and House of Representatives in General Court convened:

That John K. Law be allowed the sum of forty-nine dollars and fifty cents; Edwin P. Hunt be allowed the sum of twenty-seven dollars and fifty cents; James F. Whitehead be allowed the sum of thirty dollars and ten cents; Henry H. Smith be allowed the sum of twenty-nine dollars and fifty cents; Fred H. Gardner be allowed the sum of fourteen dollars; Herbert J. Stowell be allowed the sum of forty-one dollars; Charles S. Roberts be allowed the sum of ten dollars and forty cents; Leroy S. Blake be allowed the sum of ten dollars and fifty cents; John Demeritt be allowed the sum of thirty-three dollars and twenty cents; George W. Johnson be allowed the sum of seventeen dollars and fifty cents, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Allowances to
sundry per-
sons.

[Approved March 5, 1903.]

CHAPTER 148.

JOINT RESOLUTION TO APPROPRIATE MONEY FOR THE SCREENING OF
ARMINGTON POND, SO CALLED, IN THE TOWN OF PIERMONT.

Appropriation of \$200.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of two hundred dollars be and the same is hereby appropriated and placed at the disposal of the fish and game commissioners for the purpose of erecting a screen at the outlet of Armington pond, so called, in the town of Piermont; and the governor is hereby authorized to draw his warrant for the same upon any money in the treasury not otherwise appropriated.

Appropriation
of \$200.

[Approved March 7, 1903.]

CHAPTER 149.

JOINT RESOLUTION FOR SCREENING THE OUTLET TO CENTER POND IN THE
TOWN OF STODDARD.

Appropriation of \$100.

*Resolved by the Senate and House of Representatives in
General Court convened:*Appropriation
of \$100.

That the sum of one hundred dollars be and the same is hereby appropriated for the purpose of screening the outlet of Center pond in the town of Stoddard, said sum to be expended by the fish and game commissioners, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1903.]

CHAPTER 150.

JOINT RESOLUTION IN FAVOR OF APPROPRIATING MONEY FOR SCREENING
THE OUTLET OF PLEASANT POND IN THE TOWN OF NEW LONDON.

Appropriation of \$75.

*Resolved by the Senate and House of Representatives in
General Court convened:*Appropriation
of \$75.

That the sum of seventy-five dollars be and is hereby appropriated for the purpose of screening the outlet of Pleasant pond in New London and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1903.]

CHAPTER 151.

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE CONSTRUCTION OF
A SCREEN ACROSS THE OUTLET OF LAKE WINNISQUAM AT EAST TILTON,
IN THE COUNTY OF BELKNAP.

Appropriation of \$1,500; resolution takes effect on passage.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the sum of fifteen hundred dollars be, and the same is hereby appropriated in addition to the sum appropriated session of 1901, for the purpose of constructing a screen across the outlet of Lake Winnisquam at East Tilton, in the county of Belknap, to prevent the escape from the waters of said lake of salmon and other fish propagated and placed in said lake, said appropriation to be expended, and said screen constructed during the year 1903, and the work and expenditure under this resolution to be done under the direction and supervision of the fish and game commissioners of the State of New Hampshire, whose bills for expense and cost of construction of said screen are to be audited by the governor and council, and said amount so appropriated to be paid and expended out of any money in the treasury not otherwise expended.

Appropriation
of \$1,500.

This joint resolution shall take effect on its passage.

Takes effect
on passage.

[Approved March 7, 1903.]

CHAPTER 152.

JOINT RESOLUTION IN FAVOR OF HORACE L. WORCESTER.

Allowance of \$200; resolution takes effect on passage.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That Horace L. Worcester, representative from ward 5, city of Rochester, whose resignation as a member of the house of representatives has been tendered and accepted, be allowed the sum of two hundred dollars, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Allowance of
\$200.

SECT. 2. This joint resolution shall take effect on its passage.

Takes effect
on passage.

[Approved March 7, 1903.]

CHAPTER 153.

JOINT RESOLUTION IN RELATION TO A FISH HATCHING HOUSE AT
LACONIA.

Appropriation of \$7,500.

*Resolved by the Senate and House of Representatives in
General Court convened:*Appropriation
of \$7,500.

That the sum of seventy-five hundred dollars be, and hereby is appropriated out of any money in the treasury not otherwise appropriated for purchasing necessary land and water rights, and constructing a fish hatching house on or near Durkee brook, so called in the city of Laconia, the same to be expended by the fish and game commissioners under the direction of the governor and council, and the governor is hereby authorized to draw his warrant therefor.

Said commissioners are authorized and empowered, subject to the approval of the governor and council, to rear the fry hatched in said hatchery to fingerlings before placing them in the waters of the state.

[Approved March 7, 1903.]

CHAPTER 154.

JOINT RESOLUTION APPROPRIATING MONEY FOR SCREENING THE OUTLET
OF HIGHLAND LAKE IN THE TOWN OF ANDOVER.

Appropriation of \$100.

*Resolved by the Senate and House of Representatives in
General Court convened:*Appropriation
of \$100.

That the sum of one hundred dollars be and is hereby appropriated, to be expended under the direction of the fish and game commissioners for the purpose of screening the outlet of Highland lake in the town of Andover and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1903.]

CHAPTER 155.

JOINT RESOLUTION FOR SCREENING THE OUTLET OF MERRY MEETING
LAKE IN THE TOWN OF NEW DURHAM.

Appropriation of \$300.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the sum of three hundred dollars be and is hereby appropriated, the same to be expended under the direction of the fish and game commissioners for the purpose of screening the outlet of Merry Meeting lake in the town of New Durham, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Appropriation
of \$300.

[Approved March 7, 1903.]

CHAPTER 156.

JOINT RESOLUTION IN FAVOR OF SCREENING THE OUTLET OF FOREST
LAKE.

Appropriation of \$300.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the fish commissioners be and hereby are instructed to construct suitable screens at the outlet of Forest lake, in the towns of Whitefield and Dalton, to prevent the egress of fish from said waters, and that the sum of \$300 be and the same is hereby appropriated for that purpose, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Appropriation
of \$300.

[Approved March 7, 1903.]

CHAPTER 157.

JOINT RESOLUTION IN FAVOR OF THE BOARD OF REGISTRATION IN
DENTISTRY.

Appropriation of \$66.45.

*Resolved by the Senate and House of Representatives in
General Court convened:*Appropriation
of \$66.45.

That the sum of \$66.45 be and the same is hereby appropriated to meet expenses incurred by the board of registration in dentistry, the same to be disbursed under the direction of the governor and council, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1903.]

CHAPTER 158.

JOINT RESOLUTION IN FAVOR OF SCREENING THE OUTLET TO PENACOOK
LAKE IN THE CITY OF CONCORD.

Appropriation of \$100.

*Resolved by the Senate and House of Representatives in
General Court convened:*Appropriation
of \$100.

That the sum of one hundred dollars be and is hereby appropriated for the purpose of screening the outlet of Penacook lake in the city of Concord, to be expended under the direction of the fish and game commissioners, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1903.]

CHAPTER 159.

JOINT RESOLUTION TO APPROPRIATE A SUM OF MONEY TO PAY ARTHUR W. DUDLEY A SUM DUE HIM FOR MONEY EXPENDED AND LABOR PERFORMED IN MAKING SURVEYS FOR THE STATE.

Appropriation and allowance of \$512.40.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of five hundred and twelve dollars and forty cents (\$512.40) be appropriated for a balance due Arthur W. Dudley for money expended and labor performed in making the original surveys, plans, profiles, cross sections, and estimates for the "ocean boulevard" along the New Hampshire seacoast, as per annexed account.

Appropriation
and allow-
ance of \$512.40.

And that the said Arthur W. Dudley be allowed the said sum of five hundred and twelve dollars and forty cents (\$512.40), so appropriated, in full payment for such expenditures and services.

[Approved March 7, 1903.]

CHAPTER 160.

JOINT RESOLUTION IN FAVOR OF APPROPRIATING MONEY FOR SCREENING THE OUTLET OF TEWKSBURY'S POND IN THE TOWN OF GRAFTON.

Appropriation of \$75.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of seventy-five dollars be and is hereby appropriated for the purpose of screening the outlet of Tewksbury's pond so called in the town of Grafton and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Appropriation
of \$75.

[Approved March 7, 1903.]

CHAPTER 161.

JOINT RESOLUTION FOR AN APPROPRIATION FOR SCREENING CRYSTAL LAKE IN GILMANTON.

Appropriation of \$300.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$300.

That the sum of three hundred (\$300) dollars be and hereby is appropriated for the purpose of constructing a fish screen at or near the outlet of Crystal lake or Longee's pond, so called, in Gilmanton: said screen to be constructed under the direction of the fish and game commissioners, and the governor is hereby authorized to draw his warrant out of any money in the treasury not otherwise appropriated.

[Approved March 7, 1903.]

CHAPTER 162.

JOINT RESOLUTION IN FAVOR OF RAISING SQUAM BRIDGE IN HOLDERNESS AND LITTLE SQUAM BRIDGE IN ASHLAND AND OF IMPROVING NAVIGATION IN SQUAM LAKE AND CONNECTING WATERS.

Preamble; appropriation of \$4,000.

Preamble.

WHEREAS, the highway bridge across the outlet of Squam lake in the town of Holderness, known as Squam bridge, and the highway bridge across the outlet of Little Squam lake, in the town of Ashland, known as Little Squam bridge, as now maintained, are dangerous obstructions to the proper navigation of said waters; and

WHEREAS, the navigation of said waters can be greatly facilitated by raising said bridges to such a height as will enable boats of suitable size for navigation on said lakes to pass under said bridges; now, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$4,000.

That the sum of four thousand dollars be and the same is hereby appropriated for the purpose of raising said Squam bridge and said Little Squam bridge not less than three feet and suitably grading the approaches to the same; for the purpose of dredging the outlet of said Squam lake and Little

Squam lake and otherwise improving the navigation in said lakes and the outlets thereof; said sum to be expended under the direction of the governor and council when it is shown to the satisfaction of the governor and council that said work will be completed without further demand upon the state.

[Approved March 7, 1903.]

CHAPTER 163.

JOINT RESOLUTION FOR LIGHTING THE LIGHTHOUSE ON LOON ISLAND IN SUNAPEE LAKE, REPAIRING THE CABLE CONNECTED THEREWITH, IMPROVING THE LIGHT SERVICE, PLACING AND MAINTAINING BUOYS ON SAID LAKE, AND REMOVING OBSTRUCTIONS TO NAVIGATION IN SAID LAKE.

Appropriation of \$600.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of six hundred dollars be and the same is hereby appropriated for lighting the lighthouse on Loon island in Sunapee lake by electricity, for repairing the cable connected therewith, for improving the light service, for placing and maintaining buoys on said lake, and for removing obstructions to navigation therein; said sum to be expended by an agent appointed by the governor with the advice of the council, and the governor is hereby authorized to draw his warrant for the same out of any money not otherwise appropriated.

Appropriation
of \$600.

[Approved March 19, 1903.]

CHAPTER 164.

JOINT RESOLUTION IN FAVOR OF NEW HAMPSHIRE SOLDIERS' HOME.

Appropriation of \$22,500.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of twenty-two thousand five hundred dollars (\$22,500) is hereby appropriated out of any money in the treasury not otherwise appropriated for the support and maintenance of the New Hampshire Soldiers' Home and the members

Appropriation
of \$22,500.

thereof from the first day of January 1903 to the assembling of the legislature in 1905, in addition to such sums as the state may be entitled to receive from the general government in aid of the support of disabled soldiers and sailors during or for said period, and which the state treasurer is hereby authorized to receive and receipt for.

The sums so appropriated shall be known as the "Soldiers' Home Fund," and shall be subject to the order of the state board of managers, and be drawn upon orders signed by the secretary and countersigned by the governor as provided in the act establishing said Home.

[Approved March 19, 1903.]

CHAPTER 165.

JOINT RESOLUTION IN FAVOR OF MAINTAINING BUOYS AND PLACING LIGHTS ON SQUAM LAKE.

Annual appropriation of \$100.

Resolved by the Senate and House of Representatives in General Court convened:

Annual appropriation of \$100.

That the sum of one hundred dollars (\$100) be and the same is hereby appropriated for each of the years 1903 and 1904 to place and repair buoys and maintain lights on Squam lake.

[Approved March 19, 1903.]

CHAPTER 166.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DAIRYMEN'S ASSOCIATION.

Annual appropriation of \$200.

Resolved by the Senate and House of Representatives in General Court convened:

Annual appropriation of \$200.

That the sum of two hundred dollars be and is hereby appropriated for the use of the Granite State Dairymen's Association for each of the years 1903 and 1904 to be used in promoting the dairy interests of the state.

[Approved March 19, 1903.]

CHAPTER 167.

JOINT RESOLUTION IN FAVOR OF HORACE S. CUMMINGS.

Appropriation of \$16,255.87 and interest.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of sixteen thousand two hundred fifty-five dollars and eighty-seven cents, and interest at four per cent., from February 27th, 1902, be and hereby is, appropriated to pay Horace S. Cummings, for services and expenses as agent for the state in collecting the sum of one hundred eight thousand three hundred seventy-two dollars and fifty-two cents, in accordance with a written agreement between the State of New Hampshire and said Cummings, dated the eleventh day of May, 1897, whereby the State of New Hampshire agreed to pay said Cummings an amount equal to fifteen per cent. of the entire sum collected from the United States, and that said sum of sixteen thousand two hundred and fifty-five dollars and eighty-seven cents and interest be paid out of any money in the treasury, not otherwise appropriated.

Appropriation
of \$16,255.87
and interest.

[Approved March 20, 1903.]

CHAPTER 168.

JOINT RESOLUTION IN FAVOR OF PLACING AND MAINTAINING BUOYS AND LIGHTS IN LAKE WINNIPESAUKEE AND ADJACENT WATERS.

Appropriation of \$800.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of eight hundred dollars be and hereby is appropriated for placing and maintaining buoys and lights in Lake Winnepesaukee and adjacent waters; four hundred and fifty dollars of said sum to be expended in 1903 and the balance in 1904. Said sum to be expended by an agent or agents appointed by the governor with consent of his council, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Appropriation
of \$800.

[Approved March 24, 1903.]

CHAPTER 169.

JOINT RESOLUTION IN FAVOR OF WILLIAM J. PATCH.

Payment of \$103.47 directed.

Resolved by the Senate and House of Representatives in General Court convened:

Payment of
\$103.47
directed.

That whereas under the provisions of section 8, chapter 196, of the Public Statutes, William J. Patch, brother of Joseph Patch, late of Monroe, in the county of Grafton, and administrator of his estate, is entitled as such administrator, to have paid to him, by the state treasurer, the sum of one hundred three dollars and forty-seven cents (\$103.47), belonging to the estate of said Joseph Patch, which said sum of one hundred three dollars and forty-seven cents (\$103.47), was paid into the state treasury, in accordance with the provisions under said section 8; the state treasurer is hereby directed to pay the sum of one hundred three dollars and forty-seven cents (\$103.47), to said William J. Patch, as such administrator.

[Approved March 24, 1903.]

CHAPTER 170.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE SCHOOL FOR FEEBLE-MINDED CHILDREN.

Appropriation of \$22,000.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$22,000.

That the sum of twenty-two thousand dollars be and hereby is appropriated for the purpose of extinguishing the indebtedness incurred by the trustees of said school, in purchasing a site erecting and repairing buildings thereon and equipping the same for the purposes of the school.

[Approved March 25, 1903.]

CHAPTER 171.

JOINT RESOLUTION IN FAVOR OF THE WIDOW OF BENJAMIN F. MARCH
OF MASON.

Payment of salary and mileage to widow.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the state treasurer be and hereby is authorized to pay to the widow of the late Benjamin F. March of Mason the full salary and mileage due to him as a member of the house of representatives. Payment of salary and mileage to widow.

[Approved March 25, 1903.]

CHAPTER 172.

JOINT RESOLUTION IN FAVOR OF GREEN'S BASIN IN LAKE WINNIPE-
SAUKEE.

Appropriation of \$100.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That a sum not exceeding one hundred dollars be and hereby is appropriated for the purpose of removing a boulder situated in the channel of Basin narrows, in Green's basin (so called) in Lake Winnepesaukee. Said sum to be expended under the direction of an agent appointed by the governor with the advice of his council, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated. Appropriation of \$100.

[Approved March 25, 1903.]

CHAPTER 173.

JOINT RESOLUTION APPROPRIATING NINE THOUSAND DOLLARS FOR ADDITIONS AND REPAIRS TO THE INDUSTRIAL SCHOOL.

Appropriation of \$9,000; resolution takes effect on passage.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$9,000.

That the sum of nine thousand dollars be and hereby is appropriated to the Industrial school for the purpose of building an isolation hospital, a wagon shed, and making permanent improvements and repairs upon the existing buildings, the same to be expended by the trustees of the Industrial school, all bills, however, to be audited and approved by the governor and council; and that the governor be and hereby is authorized to draw his warrant for said sum, or so much thereof as may be necessary for said purposes, out of any money in the treasury not otherwise appropriated.

Takes effect
on passage.

This joint resolution shall take effect upon its passage.

[Approved March 25, 1903.]

CHAPTER 174.

JOINT RESOLUTION PROVIDING FOR THE REPAIRS AND CONSTRUCTION OF CERTAIN STATE HIGHWAYS, CERTAIN HIGHWAYS IN UNINCORPORATED PLACES, AND CERTAIN ROADS IN PLACES WHERE SUCH ROADS CANNOT BE MAINTAINED BY ANY LOCAL MUNICIPALITY.

Appropriations for sundry highways.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriations for sundry highways.

That the following sums be and hereby are appropriated for the purposes hereinafter specified, to be laid out under the direction of the governor and council and, as far as the same may be found applicable, according to the provisions of an act passed at this session of the general court, entitled "An act to provide for a more economical and practical expenditure of money appropriated by the state for the construction and repair of highways."

(1) The sum of one hundred and fifty dollars (\$150) for the repairs of that part of the highway leading from Errol to Berlin, which lies in Cambridge, an unincorporated place.

(2) The sum of two hundred and fifty dollars (\$250) for each of the years 1903 and 1904, for the repairs of the highways from Errol to Wentworth's Location, *provided* that the new road now proposed to be built in part by the state cannot be completed within two years from the date of this act.

(3) The sum of one hundred dollars (\$100), for each of the years 1903 and 1904 for the repairs of that part of the Notch road in Sandwich, known as the Dale road, the same being in a mountainous region and on an uninhabited route.

(4) The sum of one hundred and fifty dollars (\$150), for each of the years 1903 and 1904 for the repairs of that part of the state road heretofore maintained and now existing over Moosilauke mountain, which lies in the mountain region of the town of Warren, and on a route on which there are no inhabitants.

(5) The sum of two hundred dollars (\$200), for each of the years 1903 and 1904, for the repairs of the highways in the town of Campton, this being the same amount heretofore appropriated in aid of said town on account of the through roads running across said town, and the large number of bridges therein required, imposed upon the town by layings out by state or county authority.

(6) The sum of four hundred dollars (\$400), for each of the years 1903 and 1904 for the construction and repairs of new roads leading from the town to public waters on the east side of Mascoma lake in the town of Enfield, *provided* that the town of Enfield and other parties shall contribute enough in addition thereto to complete the roads, and thereafter they shall be maintained by the town.

(7) The sum of one hundred dollars (\$100), for each of the years 1903 and 1904 for the repairs of highways in the town of Ossipee, in the county of Carroll, said roads leading from Ossipee Center to Effingham line and being on the through routes maintained for the accommodation of through travel to and from the White Mountains, and not for local use, and being situated where there is no local support available sufficient for their adequate maintenance.

(8) The sum of three hundred and fifty dollars (\$350) for the building of a new highway, upon the east side of Mount Cardigan, in the towns of Alexandria and Orange, Mount Cardigan being the highest and most picturesque mountain in that section of the state; and owing to the hostility of the land owners, tourists, and summer visitors from the east side of the mountain—which includes Newfound lake—are unable to ascend the mountain, from the easterly side.

(9) That the sum of one hundred dollars (\$100) be appropriated for repairing the Crotchet Mountain road, so called in the town of Francestown one half to be expended in 1903 and one half in 1904.

[Approved March 25, 1903.]

CHAPTER 175.

JOINT RESOLUTION IN FAVOR OF JOHN M. STANYAN FOR SOLDIER'S PAY AND BOUNTY.

Appropriation of \$52.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$52.

That the sum of fifty-two dollars (\$52) be raised and appropriated in payment of the sum due from the State of New Hampshire to John M. Stanyan, late captain of Company B, Eighth Regiment New Hampshire Volunteers, on account of his claim for enlistment bounty offered by the state according to the proclamation of Governor Berry, also for pay as a soldier from September 14, 1861, the date of his enlistment, to December 20, 1861, the date of his being mustered into the service of the United States, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 31, 1903.]

CHAPTER 176.

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE BENEFIT OF THE NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

Appropriations of \$13,000 and \$7,500.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriations of \$13,000
and \$7,500.

That the sum of thirteen thousand dollars is hereby appropriated for completing and furnishing the agricultural building; the sum of five thousand dollars for a new boiler at the power station and for heat, light and water connections with the agricultural building; the sum of seven thousand dollars for a greenhouse.

That the sum of seven thousand five hundred dollars be and hereby is appropriated annually for a period of two years for the use of said college to be expended in such manner as the trustees shall direct.

[Approved March 31, 1903.]

CHAPTER 177.

JOINT RESOLUTION IN FAVOR OF THE WIDOW OF JOHN W. JEWETT, OF CLAREMONT.

Salary to be paid to widow.

Resolved by the Senate and House of Representatives in General Court convened:

That the state treasurer be and hereby is authorized to pay to the widow of the late John W. Jewett of Claremont the full salary due him as a member of the house of representatives. Salary to be paid to widow.

[Approved March 31, 1903.]

CHAPTER 178.

JOINT RESOLUTION IN FAVOR OF JOHN K. LAW AND OTHERS.

Allowances to sundry persons.

Resolved by the Senate and House of Representatives in General Court convened:

That John K. Law, William H. Weston, and Amos Dodge be allowed the sum of \$348 each; that the Rev. William H. Getchell, Warren W. Lovejoy, Martin L. Piper, John Young, Horatio W. Longa, George H. Brigham, Donald P. Upton, Charles S. Ford, Merritt C. Huse, Herbert A. McElwain, Hiram E. Currier be allowed the sum of \$301 each; that Josephine C. Larkin, Kate F. Clark, James Madden be allowed the sum of \$325 each; that Joseph A. Glennon, James Laughlin, Ralph Clement, Temple Grey, Earle C. Gordon, Robert P. Conant, J. Edward Bouviere be allowed the sum of \$172 each; that Amy G. Roach be allowed the sum of \$100; that Susan R. Morrison be allowed the sum of \$75; that Mildred B. Clark be allowed the sum of \$25; that George C. Gilmore be allowed the sum of \$69; that Bent and Bush be allowed the sum of \$25; that Thomas F. Clifford and James M. Cooper be allowed the sum of \$200 each; that Louis A. Thorp and Harrie Allowances to sundry persons.

M. Young be allowed the sum of \$100 each; that Harlan C. Pearson, Fred Leighton, George H. Fowler, John Edward Coffin, Elias A. McQuaid, William Wallace, Henry H. Metcalf, Allen H. Robinson, I. Eugene Keeler, Frank M. Shackford, be allowed the sum of \$100 each; that J. E. Gage be allowed the sum of \$21.80; that Benjamin C. White be allowed the sum of \$60; that Walter L. Jenks & Co. be allowed the sum of \$35.75; that J. M. Stewart & Sons Co. be allowed the sum of \$22.30; that the Telegraph Publishing Co. be allowed the sum of \$5.51; that the Times Publishing Co. be allowed the sum of \$7.56; that the People & Patriot Co. be allowed the sum of \$115.50; that the Monitor & Statesman Co. be allowed the sum of \$672.30; that the Union Publishing Co. be allowed the sum of \$645.98; that George J. Foster & Co. be allowed the sum of \$5; that the Manchester News Publishing Co. be allowed the sum of \$28.50; that A. H. Britton & Co. be allowed the sum of \$23.80; that Edson C. Eastman be allowed the sum of \$487.61; that E. L. Glick be allowed the sum of \$15; that Arthur E. Clarke be allowed the sum of \$531.88; that Edward M. Nason be allowed the sum of \$300; that Horace L. Ingalls and John W. Lowry and Stephen S. Ford be allowed the sum of \$200 each; that W. H. Laws and H. G. Durrell be allowed the sum of \$100 each; that Gilbert W. Johnson be allowed the sum of \$25; that The John B. Clarke Co. be allowed the sum of \$160.68; that W. J. O'Shaughnessey and Cornelius E. Clifford be allowed the sum of \$100 each; that W. P. Goodman be allowed \$2.10; that the Chronicle & Gazette Publishing Co. be allowed \$8.62.

[Approved April 1, 1903.]

CHAPTER 179.

JOINT RESOLUTION APPROPRIATING MONEY TO BE EXPENDED FOR THE PRESERVATION OF THE MUSTER ROLLS.

Appropriation of \$500.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation
of \$500.

That the sum of five hundred dollars be and the same is hereby appropriated for the purpose of restoring the records known as the muster rolls of the regiments of New Hampshire in the Civil War. The same to be expended under the direction of the governor and council.

[Approved April 2, 1903.]

CHAPTER 180.

JOINT RESOLUTION IN FAVOR OF ALBERT T. SEVERANCE AND OTHERS.

Allowances to sundry persons.

Resolved by the Senate and House of Representatives in General Court convened:

That Albert T. Severance be allowed \$32, and the same is hereby allowed, for expense incurred in maintaining his right to a seat in this house; Lorenzo D. Duntley be allowed the sum of \$300 and the same is hereby allowed for expense incurred in maintaining his right to a seat in this house; that Stephen F. Gallagher is hereby allowed the sum of \$316 for expense incurred in maintaining his right to a seat in this house; that Patrick J. Stewart is hereby allowed the sum of \$200 for expense incurred in maintaining his right to a seat in this house; that Henry K. Mason be allowed the sum of \$300, for expense incurred in establishing his right to a seat in this house; and that Warren F. Langley be allowed the sum of \$75, for expenses incurred in contesting his right to a seat in this house. That the sum of fourteen thousand dollars be and hereby is appropriated for each of the years 1903 and 1904 for maintenance and to provide water; that four thousand five hundred dollars be appropriated for equipment, laundry, painting buildings and general repairs; and that the sum of ten thousand dollars be appropriated for a school building, the same to include two schoolrooms, sewing-room, manual training room, and a hall to be used for religious and other purposes for the New Hampshire School for Feeble-Minded Children. Allowances to sundry persons.

That Warren F. Langley be allowed and paid the sum of one hundred dollars in full payment of salary for attendance as member of the house of representatives from the opening of the session until February 18, 1903.

The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved April 2, 1903.]

CHAPTER 181.

JOINT RESOLUTION RELATING TO REPAIRS UPON THE STATE HOUSE.

Governor and council to investigate and report.

Resolved by the Senate and House of Representatives in General Court convened:

Governor and council to investigate and report.

That the governor and council be and hereby are authorized and instructed to carefully investigate and report at the next session of the legislature the best method to be adopted in order to obtain suitable offices and committee rooms for the use of state officers and the house and senate committees; also suitable accommodations in the state house for the use of state officers, members of the legislature and the public, and to cause plans and estimates to be made of any changes or improvements they may recommend. And the governor is hereby authorized to draw his warrant upon any money in the treasury not otherwise appropriated to pay the expense of the investigation.

[Approved April 2, 1903.]

CHAPTER 182.

JOINT RESOLUTION IN FAVOR OF THE OWNERS OF FARM ANIMALS
KILLED BY ORDER OF THE UNITED STATES DEPARTMENT OF AGRICULTURE
TO STAMP OUT THE FOOT-AND-MOUTH DISEASE.

Appropriation of \$10,000.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of \$10,000.

That the sum of ten thousand dollars be and is hereby appropriated to reimburse the owners of farm animals killed by order of the United States Department of Agriculture and upon which they are paid seventy per cent. of their appraised value.

The governor and council are hereby authorized to draw their warrant for the balance of appraised value due said owners out of any money in the treasury not otherwise appropriated.

[Approved April 2, 1903.]

CHAPTER 183.

JOINT RESOLUTION APPROPRIATING MONEY FOR SCREENING THE OUTLET
OF SUNAPEE LAKE, SO CALLED.

Appropriation of \$400.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the sum of four hundred dollars be and is hereby appropriated, to be expended under the direction of the fish and game commissioners, for the purpose of screening the outlet of Sunapee lake, so called, and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Appropriation
of \$400.

[Approved April 2, 1903.]

CHAPTER 184.

JOINT RESOLUTION TO PROVIDE FOR THE TREATMENT OF INDIGENT
CONSUMPTIVES.

To be sent to sanatorium for treatment; annual appropriation of \$5,000; resolution takes effect on passage.

*Resolved by the Senate and House of Representatives in
General Court convened:*

That the state board of charities and correction be, and hereby are, authorized to send such indigent consumptive patients as are suitable for remedial treatment to a sanatorium for treatment.

To be sent to
sanatorium.

Said state board of charities and correction shall pay for the care, treatment and support of such patients only the actual cost of their maintenance in said sanatorium and shall report to the governor quarterly their actions in this matter.

Persons in indigent circumstances, who themselves or by their relatives are able to pay part of said cost of maintenance, may be admitted to said sanatorium and maintained and treated therein at the expense of the state to that extent that they cannot, by themselves, or relatives chargeable therefor, pay such cost of maintenance, when the state board of charities and correction so certify and stipulate the proportion the state will assume and pay.

This act shall not be construed so as to deprive any person to whom aid is rendered of any rights that he may have at the time of his admission to a sanatorium.

Annual appropriation of \$5,000.

To defray the expenses of such consumptive patients in a sanatorium a sum not exceeding five thousand dollars for each of the years 1903 and 1904 is hereby appropriated, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Takes effect on passage.

This joint resolution shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 185.

JOINT RESOLUTION APPROPRIATING FIVE HUNDRED DOLLARS FOR A MONUMENT TO BE ERECTED AT HACKENSACK, NEW JERSEY, IN MEMORY OF GEN. ENOCH POOR.

Appropriation of \$500; condition of payment.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of \$500.

That the sum of five hundred (\$500) dollars be and the same is hereby appropriated for a monument to be erected at Hackensack, New Jersey, on a site to be prepared and dedicated by said city, as a memorial to General Enoch Poor, patriot and soldier of the Revolution. Said sum of five hundred dollars to be expended by the New Hampshire Society of the Sons of the American Revolution in conjunction with a sum of one thousand dollars to be appropriated by the state of New Jersey or by the New Jersey Society of the Sons of the American Revolution to be expended for the same purpose.

Condition of payment.

That the sum hereby appropriated shall be paid to the treasurer of said New Hampshire Society of the Sons of the American Revolution, on the warrant of the governor out of any money in the treasury not otherwise appropriated; whenever it shall be shown to the satisfaction of the governor and council that a sum of one thousand (\$1,000) dollars has been appropriated by said state, or said Society of the Sons of the American Revolution, of New Jersey.

[Approved April 2, 1903.]

CHAPTER 186.

JOINT RESOLUTION IN FAVOR OF ELLA F. DENSMORE OF CHARLESTOWN,
 MARY F. LOMBARD OF ACWORTH, FRANK G. SMITH OF WALTHAM,
 MASSACHUSETTS, EUGENE P. SMITH OF NEWPORT, AND GEORGE E.
 SHATTUCK OF HINSDALE.

Preamble; payment of \$2,862.10 directed.

*Resolved by the Senate and House of Representatives in
 General Court convened:*

That whereas on May 19, 1898, under a decree of the judge of probate for the county of Cheshire, Edward Stebbins of Hinsdale in said county, administrator of the estate of Alpheus Shattuck late of said Hinsdale deceased, deposited in the treasury of the state, in accordance with the provisions of the Laws of 1893, chapter 14, the sum of two thousand eight hundred sixty-two dollars and ten cents to the credit of one Oscar Shattuck, a lost heir of said Alpheus, and whereas a most diligent, conscientious, and painstaking search has resulted in finding no trace or clue to the said Oscar's life for thirty-six years last past, and whereas said Oscar has no children, father, mother, brother, sister or their representatives living, and whereas the next of kin of the said Oscar are Ella F. Densmore of Charlestown, Mary F. Lombard of Acworth Frank G. Smith of Waltham, Mass., Eugene P. Smith of Newport and George E. Shattuck of Hinsdale, and these only.

Preamble.

That the state treasurer be ordered, and is hereby ordered to pay said sum of two thousand eight hundred and sixty-two dollars, and ten cents, to the said next of kin in the following shares: To George E. Shattuck, of Hinsdale, the sum of eleven hundred dollars (\$1,100); to Ella F. Densmore, of Charlestown, four hundred forty dollars and fifty-two cents (\$440.52); to Mary F. Lombard, of Acworth, four hundred forty dollars and fifty-two cents (\$440.52); to Frank G. Smith, of Waltham, Mass., four hundred forty dollars and fifty-two cents (\$440.52); and to Eugene P. Smith of Newport, four hundred forty dollars and fifty-four cents (\$440.54).

Payment of
 \$2,862.10 di-
 rected.

[Approved April 2, 1903.]

CHAPTER 187.

NAMES CHANGED.

Names
changed.

From January, 1901, to January, 1903, the judges of probate have made and returned to the secretary of state the following changes of names:

Rockingham.

ROCKINGHAM COUNTY.—Frank L. Garland to George F. Leonard; Hazel E. Callister to Hazel E. Fernald; Mary T. Sleeper to Mary T. Smith; Frances F. Carroll to Frances F. Worden; Annie E. Boss to Annie E. Allard; Joseph G. Carroll to Joseph Carroll Brown; Ida B. Baldwin to Ida B. Prescott; Minot C. Spalding to Minot C. Gordon; Lucretia Braxton to Lucretia Carter; Mary E. Whitney to Mary E. Evans; Sadie M. Foster to Sadie M. Smith; Anna M. Langdon to Anna M. Philbrick; Esther M. Travis to Esther M. McKenney; Gladys M. Thompson to Gladys M. Robinson; Hattie M. Rogers to Hattie M. Pierce; Fannie Robbins to Fannie M. Cosgrove; Esther H. Zeeman to Hattie E. Narcross; Nellie Thompson to Nellie Alice Manwaring.

Strafford.

STRAFFORD COUNTY.—Edna May Leach to Edna May Johnson; Eugene F. Edgerly to Eugene F. Edgerly; Lulu V. Rogers to Lulu V. R. Edgerly; Elizabeth Abbott to Mary Elizabeth Coleman; Annie V. Smith to Annie V. Whitehouse; Bertha Wilhelmina Goodwin to Bertha Wilhelmina Merrill; Maudie May Wilkinson to Maudie May Brown; Hattie F. Babbidge to Harriet F. Wallingford; Ella L. Thayer to Ella Amanda Drew; Edith Jeannette Pidgin to Edith Jeannette Cochrane; Hazel Etta Hurd to Hazel Etta Garland; William E. Hutchins to William E. Goodwin; Mary Emma Huntoon to Mary Emma Whipple; Annie M. Hayes to Annie M. Fall; Grace M. Keir to Grace M. Bickford; Annie Florence Purinton to Annie Florence Hanson; Minnie E. Shapleigh to Minnie E. Blaisdell; Margaret Dowd to Margaret D. Waterhouse.

Belknap.

BELKNAP COUNTY.—Nellie E. Davis to Nellie E. Brown; Linnie E. Hayes to Linnie E. Wright; Vaughn Seavy to Vaughn Seavy Blanchard; Tryphena Ray Adams to Tryphena Ray Marston; Mary E. Carley to Angie May Eastman; Hattie Goodrow to Hattie Mason; Cleoria M. Ingerson to Cleoria M. Morse; Gracie May Hill to Grace Mabel Hill; Laura W. Thorp to Laura W. Stevens.

Carroll.

CARROLL COUNTY.—Nellie M. Brown to Nellie M. Peavey; Nellie V. McKinnon to Nellie V. Hodgdon; Beatrice L. Maloney to Beatrice L. Brown; Belle V. Anderson to Belle V. McKenney; Lula J. Broughton to Lula Hanson Abbott; Alma M. Gardner to Alma M. Swett; Ada G. Hubbard to Ada G.

Bennett; Rose E. Stockbridge to Rose E. Pattison; M. Margaret-Bill to M. Margaret Foote; Angie M. Fountain to Angie M. Watson; Cora D. Powers to Cora D. Larrabee; Bertha S. Goodwin to Bertha S. Merrow; Hildegrade May Watson to Hildegrade Watson Perkins; Marcia M. Moody to Marcia M. Dorr; Edgar L. Warren to Edgar Warren.

MERRIMACK COUNTY.—Katherine Agnes Lavender to Katherine Agnes Basquil; Alice Bell Sleeper Paige to Alice Bell Sleeper; Nettie A. Lear to Nettie A. Sanders; Lucinda M. Duke to Lucinda M. Sanborn; Katie E. Cheney to Katie E. Wells; Hass Clark Carson to Harold Carson; Nancy S. Colby to Nancy S. Batchelder; Laura E. Merrill to Laura E. Potter; John J. Nichols to Jasper Nichols Johnson; Emma B. Leighton to Emma B. Brown; Dollie C. Beede to Dollie C. Wallace; Lottie Ray Riley to Charlotte Ray Brown; Emily E. Whidden to Emily E. Cole; Ida B. Slattery to Ida B. Merrill; Edith Keyser to Edith Emerson; Anna May Dwinnell to Anna May Allen; Maud A. Burroughs to Maud A. Gage; Marion Webber to Marion Webber McDaniel; Joseph Martin Reardon to Joseph Martin Isabelle; Elsie Marion Radford to Elsie May Ellen Wallace; Gladys Bridden to Gladys Elizabeth Blake; Elmer Brown to Elmer Heath; Dorothy Williams to Dorothy Williams Robinson; Beatrice Minnie Sargent to Gladys Minnie Goucher. Merrimack.

HILLSBOROUGH COUNTY.—John McDonough O'Dowd to Richard McDonough O'Dowd; Ella M. Town to Ella M. Straw; Aimee Gertrude Van Wyck to Aimee Gertrude Philbrick; Roxanna Shattuck Willoughby to Roxanna Shattuck Patch; Susan A. Buchanan to Susan A. Proctor; Belle Richardson to Belle Watkins; Harriet M. Averill to Harriet M. Mills; Cora J. Banks to Cora J. Conant; John H. Marr to John H. Tucker; Himan A. Jones to Harry A. Jones; Nellie A. Sullivan to Nellie A. Smith; Francena M. Rix to Francena M. McKeen; Bessie J. Cochran to Bessie J. Clough; Bessie Louisa Neal to Elizabeth Louisa Neal; Grace Emory Gelo to Grace Emory Stiles; Mabel Watts to Mabel Livingston; Fannie Ethel Cleworth to Mildred Winters Cleworth; Ella Plumer to Ella Webb; Ada Frances Monzo to Ida Frances Gould; Clara Marshall Wheeler to Clara Roby Wheeler; Anna C. Dollar to Anna C. Cheney; Edna Florentine Ham to Edna Virginia Elkins; Sophronia Shonion to Sophronia Shannon; Lizzie Appleton Swart to Lizzie Roby Swart; Elizabeth Mary Watts to Elizabeth Mary Thompson; Nina Brookhouse Wallace to Nina Brookhouse; Rosella Ballance to Rosella Moulton; Herbert Wentworth to Herbert Wentworth Sinclair; Mary Rose Connor to Verna May Woodburn; Gladys Gates to Arlene Jones; Herbert J. Wyeth to Herbert Joseph Goldthwait; Eleanor Rowell to Glenda Louise Woodbury; Edward Hillsborough.

Fitzgerald to Edward Fitzgerald Ryan; Ernest Brown to Ernest Brown Ham; Nellie Morison Wilcox to Nellie Morison Mudge; Marie Blanche Peters to Isabel Joy; Margaret G. Mullins to Margaret G. Colburn; Bertha May Poor to Hattie Gagnon; Mary Lillian Clifford to Mary Lillian Wagner; Florence O'Brien to Florence May Colby; Lester R. Moulton to Clarence Raymond; Clarence Raymond to Lester R. Moulton; Harrold Earnest Hoyt to Harrold Earnest Truell; Josephine C. King to Josephine C. Duncan; Fannie Ethel Winters to Fannie Ethel Cleworth; Elsie Giles to Irene Margaret Clark; Dorothy Grant to Dorothy Ursula Dalton; Arthur H. Douglass to Arthur H. Garland.

Cheshire.

CHESHIRE COUNTY.—Helen Maria Barry to Helen Barry Banning; Jennie F. Phillips to Eva Calesta Bardwell; Marion Davidson to Marion Kilpatrick; Jennie E. Iverson to Jennie E. Lesure; Rubie P. Pratt to Rubie Hartley Mason; Lottie E. Mason to Lottie E. Hill; Frances A. Moriarty to Frances A. McConnell; Lucius Castor to Lucius Curtis; Mattie May Castor to Mattie May Curtis; Anna Louise Holt to Anna Laura Holt; Ella White to Helen Murphy; William Brooks to William McKinley Rockwood; Bernice Page to Bernice Alida Hale; Mildred O. Iverson to Mildred Hattie Mansfield; Annie M. Buckminster to Annie M. Holman; Cora E. Thompson to Cora E. Ballou; Charles Coolbroth to Charles Phillips.

Sullivan.

SULLIVAN COUNTY.—Grace Clement to Grace Rockwell; Mary Julia Cummings to Mary Julia Loring; Lena Emily Elliott to Lena Emily Kempton; Dorothy Aldrich Leighton to Dorothy Leighton Blanchard; Josephine Agnes Leighton to Josephine Leighton Stark; Mary Elizabeth Miller to Mary Elizabeth Myers; Walter Alvah Nash to Walter Alvah Cross; Clara L. Putney to Clara L. Hunton; Martha Kenniston to Martha Jeneve Bradley.

Grafton.

GRAFTON COUNTY.—Lucy Ella Atkins to Lucy Ella Graves; Amy B. Berry to Amy B. Currier; William Butler to William Arthur Russell; George D. Butler to Chester Hildreth; Elsie Butler to Glory A. Hildreth; Eda Butler to Joyce Hildreth; Hattie I. Cross to Hattie I. Wilson; Nettie S. Chaquette to Nettie Somers; Sariah M. Cole to Sariah M. Scales; Harrold V. Crowell to Harrold V. Barrabby; Abbie L. Clough to Abbie L. McClu; Mary C. Ferguson to Mary C. Andrews; Arabel C. Hadley to Arabel H. Currier; Daisy Hayes to Daisy Hall; Arthur D. Harvey to Arthur D. Sloan; Minnie R. Lawler to Minnie R. Carpenter; Mary A. LaHait to Mary A. Russell; Minnie E. Merrill to Minnie E. Hall; George H. Marden to George M. Thayer; Flora Moren to Flora Marchand; Matsy McPherson to Beth Helen Corliss; Mary Cathern Morecraft to Mary Catherine White; Clara B. McSweeney to Clara B. Sanborn; Laura Evelyn Nash to Evelyn Sidonia Kimball;

Rosetta C. Perkins to Rosetta C. Ricker; Sarah M. Parker to Sarah M. Sanborn; Ralph C. Randall to Ralph C. Bean; Flora Rivers to Flora May Murry; Nora M. Seavey to Hazel May Dawes; Millie P. Simonds to Mildred P. Noyes; Mildred Belle Towle to Mildred Towle Messer; Alice A. Wooster to Alice A. Drew; Paul Hutchinson Wooster to Paul Hopkins Hutchinson.

COOS COUNTY.—Sarah R. Hutchins to Sarah R. Jacobs; ^{Coos.} Leman Peabody to Paul Cummings; George Lindquist to George Julius Eaton; George Short to Myrtle George Ingerson; Alma J. Covell to Alma J. Noyes; Vesta V. Cummings to Vesta V. Stinson; Evelyn Keith to Evelyn Keith Leeman; Flora May Stone to Flora May Boothman; Rena M. Emery to Mabel Currier; Lizzie R. Waters to Lizzie R. Annis.

PRIVATE ACTS.

CHAPTER 188.

AN ACT AUTHORIZING THE MANCHESTER MILLS TO INCREASE ITS CAPITAL STOCK.

SECTION

1. Increase authorized.
2. New stock may be preferred.

SECTION

3. Takes effect on passage

Be it enacted by the Senate and House of Representatives in General Court convened:

Increase
authorized.

SECTION 1. For the purpose of enabling the corporation more effectually to carry on the business for which it was created, the Manchester Mills is hereby authorized to increase its capital stock by an amount not exceeding two million dollars.

New stock
may be pre-
ferred.

SECT. 2. Any or all of the new capital hereby authorized may be issued with such preferences, both as to dividends and in distribution of assets, as may be determined by major vote of the stockholders, present and voting, at meetings of the corporation duly called for that purpose.

Takes effect
on passage.

SECT. 3. This act shall take effect on its passage.

[Approved January 21, 1903.]

CHAPTER 189.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF DOVER,
CREATING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY, AND
FIXING THE SALARIES OF THE OFFICERS IN THE POLICE DEPART-
MENT.

SECTION

1. Board of police commissioners estab-
lished.
2. How and when appointed; terms of
office.
3. Power of removal.
4. Police force, how constituted; com-
pensation of police, police court
officials, and police commissioners.

SECTION

5. Organization of board.
6. Report and records of board.
7. Board to require enforcement of
criminal laws.
8. Repealing clause; act takes effect on
passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The management, appointment, and removal of all police officers in said city shall be vested in a board of three police commissioners; they shall have the power to make all reasonable rules, by-laws, and regulations for the government of said police officers, and may enforce the same by suspension, or expulsion from the force, as they see fit.

Board of po-
lice commis-
sioners estab-
lished.

SECT. 2. On or before the first day of March, 1903, the governor, with the advice and consent of the council, shall appoint three police commissioners, (each of whom shall have been a resident of said Dover at least three years immediately preceding the date of his appointment) one of whom shall hold office for the term of two years from the first Tuesday of March, 1903, one for the term of four years, and one for the term of six years, from said date, or until their successors are appointed and qualified; and biennially thereafter, on or before the first day of April, the governor, with the advice and consent of his council, shall appoint some person, qualified as aforesaid, to succeed the commissioner whose term expires, who shall serve the full term of six years, unless sooner removed. Any vacancy in said board shall be filled in the same manner, only for the unexpired term. At no time shall more than two of said commissioners belong to one political party.

How and
when ap-
pointed;
terms of office.

SECT. 3. The governor, with the advice and consent of the council, shall have full power to remove any or all of said commissioners, after a fair hearing, and for just cause.

Power of
removal.

SECT. 4. The police force of said city shall consist of a city marshal, assistant city marshal, police officers and constables, not to exceed twelve in number, who shall devote such

Police force,
how consti-
tuted; com-
pensation of
police, etc.

time to the performance of their duties as may be required by the commissioners; said officers shall not engage in any other business or occupation, or hold any state, county or municipal office, except as aforesaid. The board shall have the power to appoint as many special officers as may be considered necessary, who shall perform such service as may be required of them by the rules and regulations of the board. Special officers shall exercise, when on duty, all the powers of police officers and constables under the laws of the state. The compensation of the city marshal shall be at the rate of one thousand dollars per annum; the assistant marshal at the rate of eight hundred dollars per annum; each police officer, while on duty, at the rate of seven hundred thirty dollars per annum; each special police officer, while on duty, such sum as the commissioners may designate, but in no event to exceed two dollars per day. The salary of the police justice of said city shall be eight hundred dollars per annum; the associate justice of said police court, two hundred dollars per annum; the clerk of said police court, the sum of three hundred dollars per annum. The compensation of said board of police commissioners shall be five hundred dollars per annum, to be divided as said board may determine. All the above salaries, as well as the necessary expenses of the commissioners, to be paid monthly by said city of Dover, and to be in full for all services rendered, as well as all fees in criminal cases, which shall, in all cases, be paid to the city.

Organization
of board.

SECT. 5. The said board shall elect one of their number who shall act as chairman, and one who shall act as clerk. It shall be the duty of the clerk to keep an accurate record of the proceedings of the commissioners, issue all notices, and attest such papers and orders as said board shall desire.

Report and
records.

SECT. 6. The said board shall in the month of December, make a detailed report of their doings to the board of mayor and aldermen of said city, and to the governor of the state. The records of said board shall at all times be open to public inspection.

Enforcement
of laws.

SECT. 7. It shall be the duty of the commissioners, appointed under this act, to see that all the criminal laws of the state are faithfully and impartially enforced, within said city.

Repealing
clause; act
takes effect
on passage.

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved January 21, 1903.]

CHAPTER 190.

AN ACT TO ALLOW THE CITY OF NASHUA TO APPROPRIATE MONEY FOR
THE CELEBRATION OF ITS SEMI-CENTENNIAL.

SECTION

1. Appropriation authorized.

SECTION

2. Takes effect on passage; repealing
clause.*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The city of Nashua is hereby authorized to appropriate such sum as the city council may determine for the purpose of celebrating the fiftieth anniversary of its incorporation.

Appropriation
authorized.

SECT. 2. This act shall take effect on its passage, and all acts and parts of acts inconsistent with this act are hereby repealed.

Takes effect
on passage;
repealing
clause.

[Approved January 27, 1903.]

CHAPTER 191.

AN ACT TO REPEAL CHAPTER 200 OF THE LAWS OF 1899, ENTITLED "AN
ACT TO AMEND CHAPTER 207 OF THE LAWS OF 1895, RELATING TO
THE POLICE COURT OF HAVERHILL."

SECTION

1. Former act repealed.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Chapter 200 of the Laws of 1899, entitled "An act to amend chapter 207 of the Laws of 1895 relating to the police court of Haverhill" is hereby repealed.

Former act
repealed.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved January 28, 1903.]

CHAPTER 192.

AN ACT TO AMEND CHAPTER 241 OF THE SESSION LAWS OF 1893, ENTITLED "AN ACT TO ESTABLISH THE CITY OF LACONIA," AND REPEALING CHAPTER 200 OF THE LAWS OF 1901, ENTITLED "AN ACT TO AMEND CHAPTER 241 OF THE SESSION LAWS OF 1893, ENTITLED 'AN ACT TO ESTABLISH THE CITY OF LACONIA.'"

SECTION

1. Ward limits defined.
3. [2.] Representatives to general court; supervisors of check-lists.

SECTION

4. [3.] Councilmen, how chosen.
5. [4.] Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Ward limits
defined.

SECTION 1. Amend said chapter as follows: Strike out all of sections 2 and 3 and insert in place thereof the following:
SECT. 2. The said city of Laconia is hereby divided into seven wards, which shall be constituted as follows, viz:

Ward No. 1 shall contain all that territory in said city included within, and bounded by the following lines: Bounded westerly and southwesterly by a line commencing at a point in the center of Main street opposite the center of Lyford street; thence extending northerly through the center of Main street to a point in said street opposite the center of Oak street; thence extending westerly through the center of Oak street to the center of Pleasant street; thence extending northerly through the center of Pleasant street to the westerly side line of Main street at its junction with said Pleasant street north of the Fair Grounds, so called; thence in a straight line due west to Lake Winnisquam; thence northerly on said lake to the Meredith town line, bounded northerly by the Meredith town line from point of intersection on Lake Winnisquam to Lake Winnepesaukee, bounded easterly by the shore of Lake Winnepesaukee, the westerly boundary of Wards 6, 7 and 2 extending from said last named point to a point on the westerly line of Ward 2 opposite the center of Lyford street at its junction with Messer street, and bounded southerly by a line extending from said last named point through the center of Lyford street to the point of beginning in the center of Main street opposite the center of Lyford street.

Ward No. 2 shall include all that part of said city bounded westerly by a line commencing on the easterly shore of Round bay or Lake Opechee where the present northwesterly boundary of Ward 2 commences; thence southerly by the easterly shore of Round bay or Lake Opechee and the easterly shore of the Winnepesaukee river to a point on the easterly shore of said river at the southeasterly corner of Mill Street bridge;

thence southeasterly by a straight line from said last mentioned point to the southwesterly corner of Locust street at its intersection with Union avenue; thence easterly along the southerly side of said Locust street to Avery street; thence in a line south seventy-six (76) degrees east to the line between Laconia and the town of Gilford; thence easterly by the said line of Gilford extending from the last to the first mentioned bound.

Ward No. 3 shall include all that part of said city contained within the territory described as follows: Commencing at a point in the center of Main street on the southerly shore of Winnepesaukee river at the bridge; thence northerly along the easterly shore of said river until it strikes the southerly line of Ward No. 1; thence westerly on line of Ward No. 1 to the center of Main street opposite the center of Lyford street; thence northerly on line of Ward No. 1 to a point in said street opposite the center of Oak street; thence westerly through the center of Oak street to a point in Pleasant street opposite the center of Oak street; thence southerly through the center of Pleasant street and through the center of Main street from its junction with said Pleasant street to the point of beginning.

Ward No. 4 shall include all that part of said city, bounded easterly by the westerly side of Ward No. 3, a portion of the westerly side of Ward No. 1, and by a line continuing from the westerly side line of Ward No. 3 in the center of Main street on the southerly shore of the Winnepesaukee river southerly through said Main street to a point in said city opposite the center of Bowman street, southerly by a line commencing at said last mentioned point and extending through the center of said street to the center of Academy street, southeasterly by a line commencing at said last mentioned point and extending southwesterly through the center of said street and the Mile Hill road to the Belmont town line, westerly by said Belmont town line and the shore of Lake Winnisquam, and northerly by that part of the southerly line of Ward No. 1 extending from Lake Winnisquam to a point on the westerly side line of Main street at its junction with Pleasant street north of the Fair Grounds, so called.

Ward No. 5 shall include all that part of said city lying southerly, westerly and easterly of Wards Nos. 2, 3 and 4, not embraced in said wards.

Ward 6 as hereby constituted shall contain all the territory of Ward 1 as heretofore constituted in the original city charter.

SECT. 3. [2.] Strike out so much of section 3 as relates to said city and insert in place thereof the following: Each of said wards shall elect one representative to the general court until such time when their constitutional rights shall entitle any of said wards to a greater number.

Representatives;
supervisors.

Strike out section 8 of said chapter and insert in place thereof the following: Each of said wards as hereby constituted at

every state biennial election commencing with the biennial election in 1904 shall choose by ballot and plurality vote one supervisor of check-lists and the city council shall also on the Wednesday next following the state biennial election in 1904 and on the Wednesday next following the state biennial election thereafter by ballot and major vote choose one supervisor of check-lists who shall hold office for the term of two years, the persons thus chosen shall constitute the board of supervisors of check-lists of all the wards of the city, and the member chosen by the city council shall be chairman of the board. All vacancies occurring in the board shall be filled by the city council.

The existing board of supervisors as elected at the state biennial election in 1902 and the chairman of said board now holding said office by vote of the city council subsequent to said biennial election shall continue in office and constitute the board of supervisors of check-lists for said city until their successors are chosen as provided in this section and qualified.

Councilmen,
how chosen.

SECT. 4. [3.] Strike out section 15 of said chapter and insert in place thereof the following: At the annual city election on the second Tuesday of March, 1903 there shall be elected in each of said wards by and from the qualified voters in each of the said wards, one councilman to serve for two years and these councilmen so chosen together with the four councilmen from the wards in said city as heretofore constituted, whose terms will not have expired, shall constitute the city council until the organization of the council on the second Tuesday of March, 1904.

At the annual city election on the second Tuesday of March, 1904 each of said wards shall by and from the qualified voters of each of said wards elect one councilman to serve for two years, and thereafter at each annual election one councilman shall be chosen by and from the qualified voters of each of said wards to serve for the term of two years.

All the duties pertaining to the warning and holding of the annual city election on the second Tuesday of March, 1903, shall be performed by proper ward officers for such purpose, qualified voters in the several wards, to be elected by the city council immediately after the passage of this act, and all the duties pertaining to the warning, holding, conduct and record of the said ward meetings in said city election shall be performed by the officers so chosen the same as if said officers had been elected by the qualified voters of said wards. At said city election there shall be elected in each of said wards all necessary ward officers required to be elected by the qualified voters of said wards.

Nothing in this section relating to the election of ward officers by the city council as aforesaid, shall in any way affect the election of ward officers by the qualified voters in the several

wards after the provision provided in this section for holding the annual city election on the second Tuesday of March, 1903.

The term of office of all ward officers except supervisors of check-lists and councilmen in the wards as heretofore constituted, shall terminate and be of no effect on and after the date of the passage of this act.

SECT. 5. [4.] This act shall take effect and be in force from and after its passage. Takes effect on passage.

[Approved January 29, 1903.]

CHAPTER 193.

AN ACT TO ESTABLISH A POLICE COURT IN THE TOWN OF HAVERHILL.

SECTION

1. Police court established.
2. Salary of justice.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The vote of the town of Haverhill, passed at the March annual meeting of said town, in 1893, is hereby ratified, confirmed and legalized; and a police court for said Haverhill is hereby established, with a justice and associate justice to be nominated by the governor, and appointed with the approval of the honorable council. Police court established.

SECT. 2. The salary of the justice shall not exceed two hundred dollars, nor be in excess of the fines and costs collected by him, other than in civil cases; and the associate justice shall be entitled to the fees by him received as compensation. Salary of justice.

SECT. 3. This act shall take effect upon its passage. Takes effect on passage.

[Approved January 29, 1903.]

CHAPTER 194.

AN ACT TO CHANGE THE NAME OF THE DODGE'S FALLS DAM AND MANUFACTURING COMPANY TO RYEGATE PAPER COMPANY.

SECTION

1. Name changed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name
changed.

SECTION 1. That the name of the corporation chartered as the "Dodge's Falls Dam and Manufacturing Company" by act approved July 22, 1881, is hereby changed to Ryegate Paper Company, and said corporation shall hereafter be known as Ryegate Paper Company, and all the corporate powers conferred upon said corporation by said act may hereafter be exercised by it under the name of Ryegate Paper Company.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved January 29, 1903.]

CHAPTER 195.

AN ACT AUTHORIZING THE CONCORD & MONTREAL RAILROAD, LESSOR, TO ACQUIRE THE CONCORD STREET RAILWAY AND OTHER PROPERTY, TO ISSUE STOCK AND BONDS TO PAY THEREFOR AND AUTHORIZING A PHYSICAL CONNECTION OF THE MANCHESTER STREET RAILWAY WITH THE ELECTRIC BRANCHES OF THE CONCORD & MONTREAL RAILROAD.

SECTION

1. Acquisition of electric companies authorized.
2. Acquisition of street railways authorized.
3. Corporation merged may be dissolved; rights of dissenting shareholders.

SECTION

4. Property acquired treated as permanent improvements.
5. Physical union authorized.
6. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Acquisition of
electric com-
panies author-
ized.

SECTION 1. To facilitate the acquirement of electrical energy for the operation of any portion of its main or branch lines by electricity and for other uses, the Concord & Montreal Railroad, lessor of the Boston & Maine Railroad under lease

dated June 29, 1895, may acquire by purchase and develop such property as may be necessary or convenient to produce such electrical energy, and may acquire, hold and dispose of the stock, bonds, property and franchises of any corporation now or hereafter engaged in the development and production of electrical energy or may lease the property and franchises of such corporation in the manner provided for the leasing of the property and interests of one railroad corporation to another. Any stock in such corporations, acquired by or for the Concord & Montreal Railroad, under the provisions of this act, may be voted upon at all meetings of such corporations.

If the Concord & Montreal Railroad, under the provisions of this act, shall acquire property and franchises of any corporation engaged, in whole or in part, in the business of producing electrical energy, it may sell or lease such portion or portions of said property and franchises so acquired as, in the judgment of its directors, is not required for the uses of the railroad.

SECT. 2. The Concord & Montreal Railroad may acquire by lease the railway, railway property and interests of any corporation operating a street railway in any of the cities or towns in which any part of the railroad lines of the Concord & Montreal system may be located, and may purchase all or any part of the stock, bonds or other obligations of said corporations, and any stock so purchased may be voted upon by the owners upon all questions which may arise at any corporate meeting.

Acquisition of street railways authorized.

SECT. 3. If the Concord & Montreal Railroad shall become the owner by purchase of not less than three fourths of the capital stock of any such street railway corporation, such corporation may be dissolved by decree of the superior court, upon petition of the Concord & Montreal Railroad, and, if any stockholder therein does not assent to such dissolution, such dissenting stockholder may have the value of his stock determined and paid for by the Concord & Montreal Railroad, and both parties shall have the rights and remedies with reference thereto as is provided in Public Statutes, chapter 156, sections 28-37, inclusive, for determining the value and acquiring the stock of stockholders who dissent from the lease of one railroad to another.

Corporation merged may be dissolved; rights of dissenting shareholders.

If the Concord Street Railway shall be acquired by the Concord & Montreal Railroad, under the provisions of this act, said Concord Street Railway property shall be operated and managed as a part of the Concord & Manchester branch of the Concord & Montreal Railroad.

SECT. 4. It is further provided that any railroad property, including the Concord Street Railway, or property used in whole or in part for the production of electrical energy acquired under the provisions of this act, shall be treated as permanent additions or permanent improvements to the Concord & Montreal Railroad under the provisions of its lease to the Boston &

Property acquired treated as permanent improvements.

Maine Railroad, dated June 29, 1895, and the Concord & Montreal Railroad may increase and issue its capital stock or bonds or both to such an amount as may be necessary for the acquirement, improvement and extension of said properties or any of them, including the expense of changing the gauge of the Concord Street Railway and providing additional equipment therefor and to pay the obligations thereof, but any stock and bonds issued therefor shall be issued only in accordance with the provisions of Laws of 1895, chapter 27, section 17, and the stock shall be sold at public auction in accordance with the provisions of chapter 19 of the Laws of 1897.

Physical
union author-
ized.

SECT. 5. The lines of any electric branch of the Concord & Montreal Railroad, now or hereafter built, and the lines of the Manchester Street Railway may be physically united and the electric cars of each corporation may be run over the electric lines of the other upon such terms and conditions as may be agreed upon by the parties.

Repealing
clause; act
takes effect
on passage.

SECT. 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect on its passage.

[Approved January 29, 1903.]

CHAPTER 196.

AN ACT TO EXTEND THE CHARTER FOR THE BUILDING OF THE CLAREMONT STREET RAILWAY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for
building ex-
tended.

SECTION 1. An act incorporating the Claremont Street Railway Company, approved February 14th, 1899, amended by an act approved February 5th, 1901, granting said corporation until February 14th, 1903 in which to build its road, is hereby so far amended, that the time for building said road is extended for the term of two years from and after the fourteenth day of February, 1903.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved January 29, 1903.]

CHAPTER 197.

AN ACT REVIVING AND CONTINUING THE CHARTER OF THE WARNER AND KEARSARGE ROAD COMPANY AND AMENDMENTS TO SAID CHARTER.

SECTION	SECTION
1. Former acts revived and continued.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That an act to incorporate the Warner & Kearsarge Road Company passed July 6, 1866, and amendments thereto passed July 2, 1872, and July 3, 1875, and an act reviving, amending and enlarging the charter of the Warner & Kearsarge Road Company approved March 9, 1893, are hereby revived and continued for a further term of ten years.

Former acts revived and continued.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 10, 1903.]

CHAPTER 198.

AN ACT TO AMEND AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE TRUSTEES OF THE NEW HAMPSHIRE CONFERENCE SEMINARY AND THE NEW HAMPSHIRE FEMALE COLLEGE, APPROVED DECEMBER 29, 1852, AND OTHER ACTS AMENDING THE SAME.

SECTION	SECTION
1. Name changed.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the charter be so amended that the name "New Hampshire Conference Seminary and Female College," authorized by an act approved June 23, 1859, shall be Tilton Seminary.

Name changed.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 10, 1903.]

CHAPTER 199.

AN ACT RELATING TO SALARY OF ASSOCIATE JUSTICE OF POLICE COURT
OF NASHUA, IN CASE OF VACANCY IN OFFICE OF JUSTICE.

SECTION

1. To have salary of justice.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

To have sal-
ary of justice.

SECTION 1. During such time as there may be a vacancy in the position of justice of the police court of the city of Nashua, and while the associate justice shall discharge and perform the duties of said position, said city shall pay to said associate the salary of said justice as now fixed by law, in lieu of the salary as associate justice as now provided for.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 10, 1903.]

CHAPTER 200.

AN ACT TO AUTHORIZE THE CITY OF CONCORD TO APPROPRIATE MONEY
FOR THE CELEBRATION OF ITS SEMI-CENTENNIAL.

SECTION

1. Appropriation authorized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Appropriation
authorized.

SECTION 1. The city of Concord is hereby authorized to appropriate money for the celebration of its semi-centennial.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 10, 1903.]

CHAPTER 201.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF CONCORD
AUTHORIZING THE ESTABLISHMENT OF PRECINCTS WITHIN SAID CITY,
FOR THE COLLECTION OF GARBAGE.

SECTION

1. Establishment authorized.

SECTION

2. Takes effect when adopted by city.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The city councils of the city of Concord are hereby authorized and empowered to establish by ordinance, from time to time, within the limits of said city, such number of precincts, as they shall judge necessary, for the public convenience for the purpose of collecting and disposing of the garbage and refuse matter in said precincts, and to fix the boundaries thereof, and the same to enlarge, modify, define, and alter, as the public interests may require; and within any precinct so established, the mayor and aldermen of said city may cause the garbage and refuse matter to be collected and disposed of in such manner as they may deem necessary or proper for the public convenience or for the preservation of the health of the inhabitants of said city, and the expense of collecting and disposing of the garbage and refuse matter in any of such precincts shall be defrayed by taxation upon the polls and ratable estates situated within said precinct, to be assessed and collected in the same way and manner as is now by law provided for assessing and collecting taxes within the gas precinct of said city.

Establishment authorized.

SECT. 2. This act shall take effect when adopted by the city council of said city of Concord.

Takes effect when adopted by city.

[Approved February 10, 1903.]

CHAPTER 202.

AN ACT TO AUTHORIZE THE CITY OF PORTSMOUTH TO RAISE MONEY AND
ISSUE BONDS FOR A NEW HIGH SCHOOLHOUSE.

SECTION

1. Loan authorized.
2. Issue of bonds authorized.

SECTION

3. Repealing clause; act takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Loan author-
ized.

SECTION 1. The city of Portsmouth in the county of Rock-
ingham is hereby authorized and empowered to borrow, hire
and raise such a sum of money, not exceeding one hundred
thousand dollars, as the city councils shall vote to raise and
appropriate, for the purpose of erecting and furnishing a build-
ing for a high schoolhouse, notwithstanding by so doing the
net debt of the city may be increased to an amount exceeding
five per cent. of the value of the taxable property in said city
as appraised for the purpose of assessing the taxes thereon.
And the sum of money so borrowed, hired, raised and appro-
priated shall not be reckoned, counted or considered as a part
of the debt of the city in ascertaining and fixing the net debt of
said city under the provisions of the "Municipal Bonds Act
1895" entitled "An act to authorize municipal corporations to
issue bonds," approved March 19, 1895.

Issue of bonds
authorized.

SECT. 2. Said city of Portsmouth is hereby authorized and
empowered to issue and sell the bonds of said city for the sum
so borrowed, hired, raised and appropriated by the city councils
as above provided, not to exceed in amount the face or par value
of one hundred thousand dollars, which bonds shall be issued
in accordance with the provisions of said "Municipal Bonds
Act 1895," excepting that section 9 of said act shall not be
applicable thereto or affect the same.

Repealing
clause; act
takes effect
on passage.

SECT. 3. Section 9 of the act of the legislature approved
March 19, 1895, entitled "An act to authorize municipal cor-
porations to issue bonds," so far as it relates to, or affects the
borrowing, raising and appropriating of the money and the
issue of the bonds above provided for, and all other acts and
parts of acts inconsistent with this act are hereby repealed and
this act shall take effect upon its passage.

[Approved February 10, 1903.]

CHAPTER 203.

AN ACT TO AMEND CHAPTER 183 OF SESSION LAWS OF 1897, ENTITLED
“AN ACT TO AUTHORIZE THE VILLAGE FIRE PRECINCT OF WOLFEBOR-
OUGH TO CONSTRUCT AND MAINTAIN AN ELECTRIC PLANT.”

SECTION	SECTION
1. Regulations and management.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Section 2 of chapter 183 of the Laws of 1897 Regulations and manage-
is hereby amended so as to read as follows: SECT. 2. The ment.
said precinct shall have the power and authority to make regu-
lations for the use of said electricity and the control and man-
agement of the plant shall be placed in the hands of three
commissioners, to be elected annually.

SECT. 2. This act shall take effect upon its passage. Takes effect
on passage.

[Approved February 10, 1903.]

CHAPTER 204.

AN ACT IN AMENDMENT OF THE CHARTER OF THE WALPOLE ELECTRIC
LIGHT AND POWER COMPANY.

SECTION	SECTION
1. Power of eminent domain.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That section 4 of chapter 208 of the Session Power of em-
Laws of 1899 be amended by striking out the words, “within inent domain.
one mile of the iron bridge across Cold river in the village of
Drewsville, which are not at the time of such taking in actual
use as a water-power on said Cold river within the limits of
said towns and the limits of said one mile as aforesaid,” and
also the words, “within the one-mile limit aforesaid,” and also
the words, “*provided*, all rights of eminent domain hereby
conferred shall terminate in five (5) years after the passage of this
act,” so that said section, when amended, shall read as follows:
SECT. 4. Said corporation is also authorized to enter upon
and appropriate any dam sites on Cold river, and its tributaries,
with sufficient land for the proper and convenient use of such

dam sites, and to erect, keep, and maintain such dams, buildings, structures, canals, and reservoirs, and to flow such land adjoining or adjacent to said Cold river and its tributaries as its needs require; *provided*, that if it shall become necessary for said corporation to exercise any of the rights of eminent domain hereby conferred upon it, and to take thereby to its uses any property of private owners, if said corporation shall not agree with such private owners for the damage thereby done to them, or the owners of the property so taken are unknown, said corporation may apply to the superior court for the county of Cheshire to have the same laid out and the damages determined, and said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for the laying out of highways, and said commissioners shall lay out the same, determine the damages, and report to said court, and said court may issue execution accordingly.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 17, 1903.]

CHAPTER 205.

AN ACT TO AMEND THE CHARTER OF THE NORTH SHORE WATER COMPANY.

SECTION

1. May contract with towns; towns may contract.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

May contract
with towns;
towns may
contract.

SECTION 1. The charter of the North Shore Water Company is hereby amended by inserting at the end of section 7 of said charter the following: And in fixing by suitable boundaries said fire precincts, the selectmen of said Rye, and the selectmen of said North Hampton may so establish the same as not to include therein the village of Rye or the village of North Hampton, so that said section 7 when amended shall read as follows: SECT. 7. Said corporation may make any contract with said towns of Rye and North Hampton, or with any fire precinct in said towns, or with any persons or corporations, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary; and said towns, or any fire precinct therein, now existing or hereafter organized, is hereby authorized to

contract with said corporation for the use of said water, hydrants, or other apparatus for said purpose, and it may raise and appropriate money therefor, and said corporation is hereby authorized and empowered to sell or lease for a term of years to said town, or any fire precinct now existing or hereafter organized therein, all of its work, structures, and estate, of whatever kind or nature, and said town or fire precinct is hereby authorized to purchase or lease the same, and in fixing by suitable boundaries said fire precincts, the selectmen of said Rye, and the selectmen of said North Hampton may so establish the same as not to include therein the village of Rye or the village of North Hampton.

SECT. 2. This act shall take effect on its passage.

Takes effect
on passage.

[Approved February 17, 1903.]

CHAPTER 206.

AN ACT IN AMENDMENT OF THE CHARTER OF THE COLBY ACADEMY, PROVIDING FOR FILLING VACANCIES AND ELECTION OF MEMBERS.

SECTION

1. Vacancies, how filled; classification and election of members.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. In the case of a vacancy in the membership of the corporation by death, resignation, or otherwise, the remaining members may fill such vacancy at any meeting, notice having been given thereof.

Vacancies,
how filled;
classification
and election.

The members of the said corporation shall be divided in three classes of eight members each:

They shall be designated as class one, class two, and class three. For the time being, class one shall hold office one year, class two shall hold office two years and class three shall hold office three years from the date of the annual meeting of the corporation for 1903.

At the expiration of the term of office of each class, their successors shall be elected respectively for a term of three years.

The corporation may establish by-laws to determine the manner of classifying the members, of their election and fixing their term of office. At the expiration of the term of class one, the remaining members may elect their successors for a term of three years; at the expiration of the term of office of

class two, the remaining members may elect their successors for a term of three years and at the expiration of the term of office of class three, the remaining members may elect their successors for a term of three years and so forth.

Repealing
clause; act
takes effect
on passage.

SECT. 2. Any act or part of any act inconsistent with this act is hereby repealed and this act shall take effect from its passage.

[Approved February 17, 1903.]

CHAPTER 207.

AN ACT TO INCORPORATE THE WALPOLE WATER AND SEWER COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. Right of eminent domain.
4. May construct and purchase sewers.
5. Assessment of damages.
6. May contract with town; town may contract.

SECTION

7. Malicious injuries to property; penalty.
8. First meeting.
9. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. Thomas B. Peck, Oliver J. Butterfield, Charles C. Davis, Frank A. Spaulding, Nathaniel W. Holland, Henry A. Slade, and Copley Amory, all of Walpole in the county of Cheshire and State of New Hampshire, their associates, successors and assigns, be and they are hereby made a body politic and corporate by name of The Walpole Water and Sewer Company, for the purpose of furnishing to the people of Walpole a supply of pure water for domestic and public purposes, for the extinguishment of fires, for manufacturing and all other uses and also to furnish the village of Walpole such sewers for the public use as may be from time to time required, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Capital stock.

SECT. 2. The capital stock of said corporation shall consist of such number of shares of one hundred dollars each as may from time to time be determined by the corporation, not exceeding in the whole the sum of fifty thousand dollars.

Said corporation may acquire and hold all real estate and personal property necessary and convenient for its purposes. It may also borrow such sums of money, not exceeding in the

whole one half of the amount of the capital stock then issued, as its stockholders may from time to time determine, and secure the same by such mortgage or mortgages of its franchise and property as they may direct.

SECT. 3. The said corporation for the purposes aforesaid may take and hold by purchase, or may take as for public uses any real estate or easement therein, including the waters, or so much thereof as may be necessary, of any ponds, springs, streams or wells or of any filter galleries or wells that may be constructed upon the shore of any pond, or near to any spring or stream, and any other water rights in said Walpole, excepting that part of said town which lies northerly of a line drawn from the southwest corner of the town of Langdon, near Table Rock, so called, on Fall mountain, to the east end of the present stone arch bridge of the Boston & Maine Railroad Company across the Connecticut river at Bellows Falls, Vermont, and it may establish reasonable rates, rents and dues for the use of its privileges, and may collect the same from all individuals or corporations served thereby. Also in like manner it may take and hold by purchase, or may take as for public uses all real estate or rights of way and easements necessary for the location, construction and maintenance of all dams, reservoirs, conduits, pipes, hydrants, and all necessary appurtenances and appliances, for the holding and preserving such waters, and for the conveying and distributing the same in any part of Walpole, except the village of North Walpole. For the distribution thereof it may lay its pipes through the land of persons and corporations, and along the streets and ways of said town, having first obtained the permission of the selectmen of said town, and under such regulations and restrictions as they may prescribe, and may lay its pipes under or over any railroad, water course, or private way, and may cross any sewer or drain pipe, in such manner, however, as will not unnecessarily obstruct the same. Said corporation may also acquire, by purchase or lease from any other corporation such power and water rights as it may deem requisite for its purposes.

Right of eminent domain.

SECT. 4. Said corporation is also authorized and empowered to construct and maintain a suitable and convenient sewer system for the proper drainage and sewage disposal of the village of Walpole in said Walpole, and may acquire by purchase or otherwise, the sewer and sewer rights now owned and operated by any individual in said village. It may acquire by purchase or take as for public uses such real estate or easements therein in said village as may be necessary for its uses. It may lay its pipes through the land of persons and corporations, and along the streets and ways of said village, and over and across any railroad, water-course or private way and cross any drain or sewer pipe, *provided* the permission of the selectmen of said Walpole is first obtained, and no unnecessary damage

May construct and purchase sewers.

or obstruction is caused thereby, and in like manner it may put in all man-holes traps, hydrants, and other apparatus, fixtures, buildings and structures necessary for the proper and convenient use of the sewer system it is hereby authorized to acquire, construct and maintain.

Assessment of damages.

SECT. 5. Said corporation shall pay all damages sustained by any person or corporation in property, by taking of any land or easement therein, water-course or water right, or by the erection of any dam, building, or structure or any other thing done by it under the authority of this act. In case, however, said corporation shall not be able to agree with the owners thereof for the damages that may be done by said company or the owners shall be unknown, either party may apply to the superior court for the county of Cheshire at any trial term thereof to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided by law for the laying out of highways; and the said commissioners shall make report to the court, and said court may issue execution therein accordingly; but if either party shall desire it, upon the application to said court, before reference to said commissioners, they shall be entitled to a trial by jury, in such manner and under such regulations as the court may prescribe.

May contract with town; town may contract.

SECT. 6. Said corporation may make any contract with the town of Walpole, or the Walpole village district therein, or with any persons or corporations, to furnish water, hydrants and other means and apparatus for the extinguishment of fires, for sewers or for such other purposes as may be deemed necessary and said town or village district is hereby authorized to contract with said corporation for the use of said water, hydrants, sewers and other means and apparatus for said purposes, and may raise and appropriate money therefor; and the said corporation is hereby authorized and empowered to sell or lease for a term of years to said town or any fire district or fire precinct now existing or hereafter organized therein, all or any part of its franchise, works, structures or estate of whatever kind or nature, and said town and fire district or fire precincts are hereby authorized to purchase or lease the same and to borrow upon the credit of such town or districts such an amount as may be necessary to enable them to do so, upon such terms and times as may be deemed expedient.

Malicious injuries to property; penalty.

SECT. 7. Any person who shall wilfully and maliciously corrupt the waters of any of the sources of supply, or reservoirs of said company, or shall wilfully injure any power-house, dam, reservoir, conduit, pipe, hydrant, sewer or sewer-pipe, or other property held, owned or used by said company for the

purposes of this act, shall on conviction of either of said acts, be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding one year.

SECT. 8. Any two of the corporators named in this act may call the first meeting of the corporation, by giving or mailing a notice in writing to each of said corporators of the time and place of meeting, seven days at least before said meeting, and at said meeting or any adjourned meeting thereof or at any subsequent meeting duly called associates may be admitted, directors and all proper officers chosen, the number of shares fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the purposes of this act.

First meeting.

SECT. 9. This act shall take effect upon its passage, and the legislature may alter, amend or repeal the same whenever the public good requires.

Takes effect on passage; subject to repeal.

[Approved February 17, 1903.]

CHAPTER 208.

AN ACT IN RELATION TO THE TOWN OF NEWMARKET AND THE NEWMARKET WATER-WORKS.

SECTION

1. Town invested with rights of corporation.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The town of Newmarket in the county of Rockingham having taken and being now the holder by purchase of all the stock of the Newmarket Water-Works, is hereby in its corporate capacity empowered and invested with all the rights, powers, privileges, and liabilities prescribed in "An act to incorporate the Newmarket Water-Works," approved March 31, 1893, in like manner as said town would have been empowered and invested had it originally constructed said water-works, under and by virtue of said act. And said Water-works corporation may convey to said town all its real and other property.

Town invested with rights of corporation.

SECT. 2. This act takes effect upon its passage.

Takes effect on passage.

[Approved February 17, 1903.]

CHAPTER 209.

AN ACT IN AMENDMENT OF THE CHARTER OF THE SALEM WATER-WORKS COMPANY, AND LEGALIZING AND CONFIRMING THE ACTS OF SAID CORPORATION IN RELATION THERETO.

SECTION

1. Charter amended.
2. Corporate acts legalized.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter amended.

SECTION 1. That section 6, chapter 253 of the Laws of 1901, entitled "An act to revive the charter of the Salem Water-Works Company," be amended by striking out the words: "This charter shall be forfeited unless said corporation shall have constructed said water-works and have the same in operation on or before the first day of September, one thousand nine hundred and one."

Corporate acts legalized.

SECT. 2. That the acts and proceedings of the stockholders and board of directors of said corporation, relative to constructing said water-works, are hereby legalized, and shall be as valid in every respect as they would have been if said water-works had been completed on or before the first day of September, one thousand nine hundred and one.

Takes effect on passage.

SECT. 3. This act shall take effect from and after its passage.

[Approved February 17, 1903.]

CHAPTER 210.

AN ACT AUTHORIZING THE CITY OF DOVER TO EXEMPT FROM TAXATION THE HAYES HOSPITAL.

SECTION

1. Exemption authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption authorized.

SECTION 1. That the city of Dover be and hereby is authorized to exempt from taxation the property of the Hayes Hospital in said city, the limit of the same to be fixed by the city councils of said city, for a term not exceeding ten years.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 17, 1903.]

CHAPTER 211.

AN ACT TO ESTABLISH THE SALARY OF THE JUSTICE OF THE POLICE COURT OF CONCORD.

SECTION

1. Annual salary to be \$1,000.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The salary of the justice of the police court of said city shall be one thousand dollars per annum to be paid by said city in equal monthly payments from the city treasury and the salary so received shall be in full for all services rendered by the justice aforesaid in the discharge of all the duties of his office as justice. Annual salary
\$1,000.

SECT. 2. This act shall take effect on its passage.

Takes effect
on passage.

[Approved February 17, 1903.]

CHAPTER 212.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF CONCORD PROVIDING FOR THE ELECTION OF OVERSEERS OF THE POOR.

SECTION

1. Election; vacancies, how filled.
2. Duties of overseers of the poor.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The board of mayor and aldermen shall, biennially, at the commencement of each municipal term, elect one or more overseers of the poor and shall assign to each overseer of the poor so elected such part of the city of Concord, in which to perform his duties, as it deems advisable. Vacancies occurring in said offices shall be filled by a new election by said board. A member of the city councils of said Concord, either an alderman or a councilman, may be elected to the office of overseer of the poor if it seems to said board that the best interests of the city would be thereby served. Election;
vacancies,
how filled.

SECT. 2. The duties of the overseers of the poor so elected shall be the same as are now incumbent on overseers of the poor in towns. Duties.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage. Repealing
clause; act
takes effect
on passage.

[Approved February 17, 1903.]

CHAPTER 213.

AN ACT TO AMEND AN ACT PASSED AT THE JANUARY SESSION, 1903, ENTITLED "AN ACT TO AMEND CHAPTER 241 OF THE SESSION LAWS OF 1893, ENTITLED 'AN ACT TO ESTABLISH THE CITY OF LACONIA,'" AND REPEALING CHAPTER 200 OF THE LAWS OF 1901, ENTITLED "AN ACT TO AMEND CHAPTER 241 OF THE SESSION LAWS OF 1893, ENTITLED 'AN ACT TO ESTABLISH THE CITY OF LACONIA.'"

SECTION

1 to 27. Sundry amendments to prior act.

SECTION

28. Form of prior act as amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

Sundry
amendments
to prior act.

SECTION 1. Amend said act as follows: In section 1, of the original bill strike out of lines 1 and 2 after the figure 1, and insert in place thereof the following: Strike out all of sections 2 and 3 of said chapter 241 of the Laws of 1893, as amended by section 1, of chapter 200 of the Laws of 1901, and insert in place thereof the following:

SECT. 2. Strike out the word "seven" in the third line of section 1, of the original bill, and insert in place thereof the word six.

SECT. 3. Strike out the figure "7" in the sixth line on page 2 of the original bill.

SECT. 4. In the twenty-first line on the third page of the original bill between the words "through" and "said" insert the words, the center of.

SECT. 5. In the twenty-fourth line on page 3 of the original bill after the word "said" and before the word "street," insert the word Bowman.

SECT. 6. In the second line on page 4 of the original bill between the words "said" and "street" insert the word academy.

SECT. 7. In the eleventh line on the fourth page of the original bill strike out the letter "s" in the word "wards" and add after the said word "ward" the words, the territory of said ward being the same as that formerly included in ward number five under the original charter of said city.

SECT. 8. Strike out all of lines 12, 13, 14 and 15 on page 4 of the original bill and insert in place thereof the following: Ward No. 6, shall include all the territory of ward number six as constituted by the original city charter.

SECT. 9. After the figure "3" in the sixteenth line on page 4 of the original bill, strike out the remainder of said sixteenth line, and all of lines seventeen, eighteen, nineteen and twenty,

and insert in place thereof the following: Wards 1, 2, 3, 4, and 5 shall each elect one representative to the general court, and Ward 6 shall elect two such representatives, until such time as their constitutional rights shall entitle any of said wards to a greater or less number.

SECT. 10. At the beginning of line 21, on the fourth page of the original bill before the word "strike" insert the words section 2.

SECT. 11. Between the words "chapter" and "and" in line 21 on page 4 of the original bill, insert the following figures and words: 241 of the Laws of 1893, as amended by section 2, chapter 200 of the Laws of 1901.

SECT. 12. Before the word "each" in the twenty-third line on page 4 of the original bill insert the words section 8.

SECT. 13. Between the words "wards" and "as" in line 23 on page 4 of the original insert the figures and word, 1, 2, 3, 4, and 5.

SECT. 14. Between the words "check-lists" and "and" in line 1, on page 5, of the original bill insert the words, and Ward 6, two such supervisors.

SECT. 15. Strike out the last word "shall" in line 12, on page 5 of the original bill, and the words "continue in" in line 13 on said page and insert in place thereof the words, together with three other supervisors to be chosen by the city council immediately after the passage of this act, shall hold the.

SECT. 16. Strike out the figure "4" in line 16 on page 5 of the original bill and insert in place thereof the figure 3.

SECT. 17. Between the words "wards" and "by" in line 19 on page 5 of the original bill insert as follows: 1, 2, 3, 4, and 5.

SECT. 18. After the last word "years" in line 20 on page 5, and before the word "and" in line 21 on said page of the original bill insert the words, and two councilmen from Ward 6 to serve for two years.

SECT. 19. Before the word "council" in line 24 on page 5 of the original bill insert the word city.

SECT. 20. Strike out the word "second" in line 24 on page 5 of the original bill and insert in its place the word fourth.

SECT. 21. Between the words "wards" and "shall" in line 26 on page 5 of the original bill insert as follows: 1, 2, 3, 4, and 5.

SECT. 22. Between the words "years" and "and" in line 1, on page 6 of the original bill insert the words, and two from Ward 6 to serve for the term of two years.

SECT. 23. Commencing with the word "thereafter" in line 1 on page 6 of the original bill strike out the remainder of the line and lines 2 and 3 and insert in place thereof the following: and at each annual election thereafter one councilman shall be chosen by and from the qualified voters of Wards 1, 2, 3, 4, and 5, and two from Ward 6 to serve for the term of two years.

SECT. 24. Between the words "council" and "immediately" in line 9 on page 6 of the original bill insert the words, by ballot and major vote.

SECT. 25. Strike out the words "ward meetings" in line 11 on page 6 of the original bill and insert in place thereof the words, election in said wards.

SECT. 26. Strike out lines 18 to 24 inclusive on page 6 of the original bill and insert in place thereof the following: Nothing in this section relating to the election of ward officers by the city council for the annual city election on the second Tuesday of March 1903, as aforesaid, shall in any way affect the election of ward officers by the qualified voters in the several wards after the provision provided in this section relating to said annual election on the second Tuesday of March 1903 has been complied with.

SECT. 27. Strike out lines 5 and 6 on page 7 of the original bill and insert in place thereof the following: SECT. 4. Chapter 200 of the Laws of 1901, is hereby repealed, and this act shall take effect on and after its passage.

SECT. 28. Said act as hereby amended shall read as follows:

STATE OF NEW HAMPSHIRE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND THREE.

AN ACT

To amend chapter 241 of the Session Laws of 1893, entitled "An act to establish the city of Laconia," and repealing chapter 200 of the Laws of 1901, entitled "An act to amend chapter 241 of the Session Laws of 1893, entitled 'An act to establish the city of Laconia.'"

Be it enacted by the Senate and House of Representatives in General Court convened:

Ward limits
defined.

SECTION 1. Strike out all of sections 2 and 3 of said chapter 241 of the Laws of 1893, as amended by section 1, of chapter 200 of the Laws of 1901, and insert in place thereof the following: SECT. 2. The said city of Laconia, is hereby divided into six wards, which shall be constituted as follows, viz:

Ward No.1, shall contain all that territory in said city included within, and bounded by the following lines: bounded westerly and southwesterly by a line commencing at a point in the center of Main street opposite the center of Lyford street, thence

extending northerly through the center of Main street to a point in said street opposite the center of Oak street, thence extending westerly through the center of Oak street to the center of Pleasant street, thence extending northerly through the center of Pleasant street to the westerly side line of Main street at its junction with said Pleasant street, north of the Fair Grounds, so called, thence in a straight line due west to Lake Winnisquam, thence northerly on said lake to the Meredith town line; bounded northerly by the Meredith town line from point of intersection on Lake Winnisquam to Lake Winnepesaukee; bounded easterly by the shore of Lake Winnepesaukee and the westerly boundary of Wards 6 and 2 extending from said last-named point to a point on the westerly line of Ward 2, opposite the center of Lyford street at its junction with Messer street, and bounded southerly by a line extending from said last-named point through the center of Lyford street to the point of beginning in the center of Main street opposite the center of Lyford street.

Ward No. 2 shall include all that part of said city bounded westerly by a line commencing on the easterly shore of Round bay or Lake Opechee where the present northwesterly boundary of Ward 2 commences, thence southerly by the easterly shore of Round bay or Lake Opechee and the easterly shore of the Winnepesaukee river to a point on the easterly shore of said river at the southeasterly corner of Mill Street bridge, thence southeasterly by a straight line from said last mentioned point to the southwesterly corner of Locust street at its intersection with Union avenue, thence easterly along the southerly side of said Locust street to Avery street, thence in a line south seventy-six (76) degrees east to the line between Laconia and the town of Gilford, thence easterly by the said line of Gilford extending from the last to the first mentioned bound.

Ward No. 3 shall include all that part of said city contained within the territory described as follows: Commencing at a point in the center of Main street on the southerly shore of Winnepesaukee river at the bridge, thence northerly along the easterly shore of said river until it strikes the southerly line of Ward No. 1, thence westerly on line of Ward No. 1 to the center of Main street opposite the center of Lyford street, thence northerly on line of Ward No. 1 to a point in said street opposite the center of Oak street, thence westerly through the center of Oak street to a point in Pleasant street opposite the center of Oak street, thence southerly through the center of Pleasant street and through the center of Main street from its junction with said Pleasant street to the point of beginning.

Ward No. 4 shall include all that part of said city bounded easterly by the westerly side of Ward No. 3 a portion of the westerly side of Ward No. 1, and by a line continuing from the westerly side line of Ward No. 3 in the center of Main street

on the southerly shore of the Winnepesaukee river southerly through the center of said Main street to a point in said street opposite the center of Bowman street; southerly by a line commencing at said last mentioned point and extending through the center of said Bowman street to the center of Academy street; southeasterly by a line commencing at said last mentioned point and extending southwesterly through the center of said Academy street and the "Mile Hill" road to the Belmont town line; westerly by said Belmont town line and the shore of Lake Winnisquam and northerly by that part of the southerly line of Ward No. 1, extending from Lake Winnisquam to a point on the westerly side line of Main street at its junction with Pleasant street north of the Fair Grounds, so called.

Ward No. 5 shall include all that part of said city lying southerly, westerly and easterly of wards numbers two, three and four, not embraced in said wards, the territory of said ward being the same as that formerly included in ward number five under the original charter of said city.

Ward No. 6 shall contain all the territory of ward number six as constituted by the original city charter.

Representatives to general court.

SECT. 3. Wards 1, 2, 3, 4, and 5 shall each elect one representative to the general court and Ward 6 shall elect two such representatives until such time as their constitutional rights shall entitle any of said wards to a greater or less number.

Supervisors.

SECT. 2. Strike out section 8 of said chapter 241 of the Laws of 1893, as amended by section 2, chapter 200 of the Laws of 1901, and insert in place thereof the following: SECT. 8. Each of said Wards 1, 2, 3, 4, and 5 as hereby constituted at every state biennial election commencing with the biennial election in 1904 shall choose by ballot and plurality vote one supervisor of check-lists, and Ward 6 two such supervisors, and the city council shall also on the Wednesday next following the state biennial election in 1904, and on the Wednesday next following the state biennial election thereafter by ballot and major vote choose one supervisor of check-lists who shall hold office for the term of two years. The persons thus chosen shall constitute the board of supervisors of check-lists of all the wards of the city, and the member chosen by the city council shall be chairman of the board. All vacancies occurring in the board shall be filled by the city council.

The existing board of supervisors as elected at the state biennial election in 1902, and the chairman of said board now holding said office by vote of the city council subsequent to said biennial election, together with three other supervisors to be chosen by the city council immediately after the passage of this act shall hold the office and constitute the board of supervisors of check-lists for said city until their successors are chosen as provided in this section and qualified.

SECT. 3. Strike out section 15, of said chapter 241 of the Laws of 1893 as amended by section 3 of chapter 200 of the Laws of 1901, and insert in place thereof the following: SECT. 15. At the annual city election on the second Tuesday of March 1903, there shall be elected in each of said Wards 1, 2, 3, 4, and 5, by and from the qualified voters in each of said wards one councilman to serve for two years, and two councilmen from Ward 6 to serve for two years and these councilmen so chosen together with the four councilmen from the wards in said city as heretofore constituted, whose terms will not have expired shall constitute the city council until the organization of the city council on the fourth Tuesday of March 1904.

Councilmen,
how chosen.

At the annual city election on the second Tuesday of March, 1904, each of said Wards 1, 2, 3, 4, and 5, shall by and from the qualified voters of each of said wards elect one councilman to serve for two years, and two from Ward 6 to serve for the term of two years, and at each annual election thereafter, one councilman shall be chosen, by and from the qualified voters of Wards 1, 2, 3, 4, and 5, and two from Ward 6, to serve for the term of two years.

All the duties pertaining to the warning and holding of the annual city election on the second Tuesday of March, 1903, shall be performed by proper ward officers for such purpose, qualified voters in the several wards to be elected by the city council by ballot and major vote immediately after the passage of this act, and all the duties pertaining to the warning, holding, conduct and record of said election in said wards in said city election shall be performed by the officers so chosen the same as if said officers had been elected by the qualified voters of said wards. At said city election there shall be elected in each of said wards all necessary ward officers, required to be elected by the qualified voters in said wards.

Nothing in this section relating to the election of ward officers by the city council for the annual city election on the second Tuesday of March, 1903, as aforesaid shall in any way affect the election of ward officers by the qualified voters in the several wards after the provision provided in this section relating to said annual election on the said second Tuesday of March 1903, has been complied with.

The term of office of all ward officers except supervisors of check-lists and councilmen in the wards as heretofore constituted, shall terminate and be of no effect on and after the date of the passage of this act.

SECT. 4. Chapter 200 of the Laws of 1901, is hereby repealed, and this act shall take effect on and after its passage.

Repealing
clause; act
takes effect on
passage.

[Approved February 20, 1903.]

CHAPTER 214.

AN ACT IN AMENDMENT OF THE CHARTER OF THE WELLS RIVER BRIDGE,
AND AUTHORIZING THE CONCORD AND MONTREAL RAILROAD TO HOLD
STOCK THEREIN.

SECTION

1. Authority to hold stock granted.
2. Construction of toll bridge authorized.

SECTION

3. Capital stock; establishment of tolls.
4. Repealing clause.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Authority to
hold stock
granted.

SECTION 1. The Concord & Montreal Railroad being the owner of all the shares of the Wells River Bridge, incorporated in 1803, is hereby authorized to hold, vote on or dispose of the same, or any part thereof.

Construction
of toll bridge
authorized.

SECT. 2. Said Wells River Bridge is authorized to construct, or reconstruct, a toll bridge, as provided in said act, in connection with or as part of the structure used by said Concord & Montreal Railroad as part of its road over the Connecticut river at or near the location of the present structure used for the toll and railroad bridge.

Capital stock;
establishment
of tolls.

SECT. 3. The directors of said Wells River Bridge may issue certificates of stock for the shares of said Wells River Bridge, the par value thereof to be one hundred dollars each. And authority is hereby granted said corporation, by its directors, to establish a toll for the use of said bridge.

Repealing
clause.

SECT. 4. All acts, or parts of acts, inconsistent with this act are hereby repealed.

[Approved February 24, 1903.]

CHAPTER 215.

AN ACT CONFIRMING AND LEGALIZING THE ORGANIZATION AND ACTS OF
THE BERLIN STREET RAILWAY.

SECTION

1. Acts confirmed and legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Acts con-
firmed and
legalized.

SECTION 1. The Berlin Street Railway is authorized to own maintain and operate a street railway over the route now owned, used or occupied by it. All the rights, powers and franchises, granted to it by its certificate of incorporation and

extensions thereto, and all of its acts relating to and affecting its organization, construction, the location of its tracks and right of way, and its issue of stock and bonds are hereby ratified confirmed and legalized.

SECT. 2. This act shall take effect from its passage.

Takes effect
on passage.

[Approved February 24, 1903.]

CHAPTER 216.

AN ACT TO INCORPORATE THE LITTLETON, FRANCONIA AND BETHLEHEM
ELECTRIC RAILWAY COMPANY.

SECTION	SECTION
1. Corporation constituted; purposes.	8. Company to keep highways in repair.
2. Capital stock and bonds.	9. Rates for freight and passengers.
3. How located in highways.	10. Discontinuance of traffic at certain seasons.
4. How located elsewhere.	11. First meeting.
5. Location of tracks.	12. Takes effect on passage; void as to parts not built in two years.
6. Selectmen may make certain regulations.	
7. Rights reserved to towns.	

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Oscar C. Hatch, William H. Mitchell, Albert S. Batchellor, James W. Remick, Henry F. Green, Charles F. Eastman, Frank P. Bond, Fred H. English, Frederick G. Chutter, James H. Bailey, Elmore Whipple, Wilbur Parker, Daniel C. Remich, Irving C. Renfrew, George W. McGregor, George A. Edson, William J. Beattie, Edward H. Gould, Robert Tuttle, Cortes F. Nutting, George F. Abbott, Irving B. Andrews, George N. Turner and Frank H. Abbott, their associates, successors and assigns, are hereby made a body corporate by the name of the Littleton, Franconia & Bethlehem Street Railway, with power to construct, maintain and operate over and across such lands as may be necessary and in such public highways as may be necessary, a railway with convenient single or double tracks, spur tracks, sidings, turnouts and switches from some convenient point in the town of Littleton through Bethlehem, Lisbon and Franconia, to the Lafayette House in Franconia *provided* that said railway shall not approach nearer to Bethlehem village than Edward E. Bishop's house in said Bethlehem, except upon the following conditions: Said railway corporation may construct, maintain and operate a branch railway from some convenient point on its line aforesaid, to the top of Mt. Agassiz in the town of Bethlehem, and

Corporation
constituted;
purposes.

through the village of Bethlehem, to a point near and opposite the Maplewood farm buildings in said Bethlehem, *provided* that said town of Bethlehem, at a meeting of its legal voters, the warrant for which shall contain a proper article upon the subject, shall vote to give its consent to the construction, maintenance and operation of such branch railway, and not otherwise; and may also acquire, purchase, construct and maintain suitable buildings, dams, water-powers, water motors, engines, electric and other machinery, or electric or steam plants for the generation of electricity or other motive power except steam for the operation of said railway, with full power to furnish any of said towns, or their citizens, now without electric lighting plants, with electric lights, heat or power, and to furnish any of said towns, or their citizens, now having electric light plants with lights, heat and power, *provided* said corporation shall hereafter acquire such plant or plants by agreement with their owners.

Capital stock
and bonds.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power, to carry on the business permitted by this act; and may secure said bonds by mortgage of its property estate and franchises then owned and such as may be thereafter acquired by it; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

How located
in highways.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highways upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. Upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street, by subsequent order of said selectmen or their successors in office if in their judgment the

public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying-out of highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter. How located elsewhere.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall within their respective towns, have exclusive and final jurisdiction, subject to the appeal authorized by law, to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance for the purpose of laying sewer or water-pipes, without incurring any liability therefor; and from such orders there shall be no appeal. Location of tracks.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules and regulations, with reference to that portion of said railway occupying the public highways in the respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal. Selectmen may make certain regulations.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation. Rights reserved to towns.

Company to
keep high-
ways in re-
pair.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management or use of its tracks.

Rates for
freight and
passengers.

SECT. 9. Said corporation shall have power to fix from time to time, such rates of compensation for transportation of persons and property on said railway, as they may deem reasonable, and shall be subject to the duties and liabilities, and possess all the rights and privileges by law incident to railway or railroad corporations so far as the same shall be applicable.

Discontinu-
ance at cer-
tain seasons.

SECT. 10. The operation of any part of the railway constructed under this charter may be discontinued during the months when its operation is seriously interfered with by snow and the interests of the stockholders seriously injured. Upon this question there shall be a right of appeal to the railroad commissioners from the decision of the directors, whose decision shall be final.

First meeting.

SECT. 11. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

Takes effect
on passage;
void as to
parts not built
in two years.

SECT. 12. This act shall take effect upon its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved February 24, 1903.]

CHAPTER 217.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 206 OF THE LAWS OF 1897, BEING AN ACT TO INCORPORATE THE BETHLEHEM ELECTRIC LIGHT COMPANY.

SECTION

1. Capital stock increased.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 4 of chapter 206 of the Laws of 1897 being an act to incorporate The Bethlehem Electric Light Company is amended by striking out the words "fifty thousand" in the fifth line and inserting in place thereof the words two hundred thousand so that said section as amended shall read as follows: SECT. 4. The capital stock of said corporation shall consist of such number of shares, of the par value of one hundred dollars each, as may from time to time be determined upon by the directors of said corporation, not exceeding in the whole the sum of two hundred thousand dollars, and said stock shall be paid for in cash, or property equivalent in value.

Capital stock increased.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 218.

AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE NORTH CONWAY & MOUNT KEARSARGE RAILROAD, PASSED JUNE SESSION, 1883, AND ALL SUBSEQUENT ACTS RELATING TO THE SAME.

SECTION

1. Time for completion extended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time for the completion of the North Conway & Mount Kearsarge Railroad is hereby extended to the first day July, 1906.

Time for completion extended.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 219.

AN ACT TO AMEND THE CHARTER OF THE NEW HAMPSHIRE ODD FELLOWS'
WIDOWS' AND ORPHANS' HOME, APPROVED AUGUST 15, 1883.

SECTION

1. Charter extended.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Charter ex-
tended.

SECTION 1. Said corporation is hereby authorized to hold real and personal estate to the amount of \$150,000 in addition to the amount authorized by its charter.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 220.

AN ACT TO INCORPORATE THE NEW HAMPSHIRE GENEALOGICAL SOCIETY.

SECTION

1. Corporation constituted; purposes.
2. Power to hold property.
3. Rules and by-laws.

SECTION

4. First meeting.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Corporation
constituted;
purposes.

SECTION 1. That James A. Edgerly, Arthur G. Whittemore, Charles W. Tibbetts, Lucien Thompson, Fred E. Quimby, Henry R. Parker and John T. Welch, their associates, successors and assigns, be and hereby are made a body politic and corporate by the name of the New Hampshire Genealogical Society, for the purpose of collecting, preserving and publishing the genealogical records of the people of New Hampshire, including their domestic, civil, literary, religious, and political life, and for the establishment of a library and museum of genealogy, with all the powers and privileges, and subject to all the duties, liabilities, and restrictions common to corporations of a similar nature, and they may sue and be sued, prosecute and defend to final judgment and execution.

Property.

SECT. 2. Said corporation shall have power to hold, by gift, grant, devise, bequest, purchase, or otherwise, real and personal estate not exceeding the value of one hundred thousand dollars.

SECT. 3. Said corporation may adopt such rules and by-laws, not repugnant to the laws of this state, as they may deem proper. Rules and by-laws.

SECT. 4. Any three persons named in this act may call the first meeting of this corporation by publishing a notice in some newspaper printed in Concord, one week before the time of meeting, or by giving in hand to each of said corporators a like notice seven days at least before said meeting. First meeting.

SECT. 5. This act shall take effect from and upon its passage. Takes effect on passage.
[Approved February 24, 1903.]

CHAPTER 221.

AN ACT TO ESTABLISH WATER-WORKS IN ENFIELD VILLAGE FIRE DISTRICT,
IN THE TOWN OF ENFIELD.

SECTION	SECTION
1. Water-works authorized.	4. Appropriations authorized.
2. Right of eminent domain.	5. May hold stock in other companies.
3. Contracts for water supply authorized.	6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Enfield Village Fire District in the town of Enfield, is hereby authorized and empowered to construct, own, manage, maintain and lease suitable water-works for the purpose of introducing into and distributing through said fire district an adequate supply of pure water in subterranean pipes, for extinguishing fires and for the use of its citizens and for other purposes; and for that purpose may take, purchase, and hold in fee simple or otherwise, any real or personal estate and any rights therein, including water rights, necessary for carrying into effect the purposes of this act, and to excavate and dig canals and ditches in any street, place, square, passway, highway, common, or other place through which it may be necessary and proper for building said water-works, and to relay, change and repair the same at pleasure, having due regard for the safety of its citizens and security of public travel; and all acts of said fire district towards the accomplishment of any of the foregoing purposes and the organization and all other acts of said fire district are hereby fully ratified and confirmed. Water works authorized.

SECT. 2. Said fire district is authorized and empowered to enter upon, take and appropriate any streams, springs, ponds, or water rights, and to secure by fence or otherwise such Right of eminent domain.

streams, springs, ponds, or water rights, and dig ditches and canals, make excavations, dams, or reservoirs through, over, in, or upon any land or enclosure through which it may be necessary for said aqueduct to pass, or said excavations, reservoirs, dams, and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting such water, and to place such pipes or other materials or works as may be necessary for building and operating such aqueduct and water-works or for repairing the same; *provided*, if it shall be necessary to enter upon and appropriate any land or water rights or any stream, spring, or pond, for the purpose aforesaid, or to raise or lower the level of any stream, spring, or pond, and if said fire district shall not agree with the owners thereof or persons injured thereby for the damage that may be done by said fire district, or such owners shall be unknown, said fire district or said owners or persons injured may apply to the trial term of the superior court for the county in which such stream, spring, pond, water rights, or land is situate, to have the same laid out and the damages determined; and the said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and said commissioners shall make report to said court and said court may issue execution accordingly; if either party shall desire, he shall be entitled to trial by jury in such manner and under such regulations as the court may prescribe, in the same manner as in appeals from the award of damages in the case of laying out highways.

Contracts for
water supply
authorized.

SECT. 3. Said fire district is authorized to contract with individuals and corporations for supplying them with water, and to make such contracts and establish such regulations and tolls for the use of water as may from time to time be deemed proper; and for the more convenient management of said water-works, the fire district may either before or after the construction of the same, place them under the direction and control of a board of water commissioners, of such number and with such powers and duties and elected at such times and in such manner, as may from time to time be prescribed by said fire district. Said water commissioners shall have full charge and control of the construction, management, and maintenance of said water-works, and may appoint a superintendent and other necessary officers, with such powers and duties and such compensation as said commissioners may from time to time prescribe.

Appropriations author-
ized.

SECT. 4. Said fire district is also authorized at any annual or special meeting, by a major vote of those present and voting, to raise and appropriate, and to borrow or hire such sums of money on the credit of the fire district as may from time to

time be deemed advisable for the purpose of defraying the expense of purchasing real estate, rights in real estate, water rights, streams, springs, ponds, and rights as aforesaid, and for constructing, maintaining, and operating said water-works, and to issue its bonds for the same, payable at such times and at such rates of interest and upon such other terms as may be thought proper, such bonds to be signed by a majority of the fire district commissioners and countersigned by the treasurer of said fire district. The purchase of real estate and water rights already made by said fire district; the authority voted for the issue of notes or bonds for construction of the said water-works; and the vote of the town of Enfield exempting such notes and bonds from taxation are hereby ratified and confirmed; and all the property of said fire district used in the construction and operation of its water-works shall be exempt from taxation.

SECT. 5. Said fire district is also authorized to purchase and hold shares of the capital stock of any aqueduct company in said fire district and may become the owner of any wells, springs, aqueduct pipes and connections, and water rights belonging to the same, *provided* said fire district and the shareholders of any such aqueduct company shall, at legal meetings, by major vote, vote in favor of such action.

May hold stock in other companies.

SECT. 6. This act shall take effect on its passage.

Takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 222.

AN ACT TO EXTEND THE TIME FOR THE LOCATION, CONSTRUCTION AND COMPLETION OF THE RAILROAD OF THE MOOSILAUKE RAILROAD COMPANY.

SECTION

1. Time for location, etc., extended.

SECTION

2. Exemption; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time for the location, construction, and completion of the Moosilauke Railroad is hereby extended to the first day of July 1904.

Time for location, etc., extended.

SECT. 2. This act shall not be subject to the provisions of section 5, chapter 14 of the Public Statutes, and shall take effect upon its passage.

Exemption; act takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 223.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF DOVER, CREATING A BOARD OF STREET AND PARK COMMISSIONERS FOR SAID CITY.

SECTION

1. Board of commissioners created; terms of office; vacancies, how filled.
2. Organization and duties.
3. To appoint superintendent, etc.

SECTION

4. To furnish annual estimates.
5. Present superintendent continued.
6. Compensation of commissioners, etc.
7. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Board created; terms of office; vacancies, how filled.

SECTION 1. A board of street and park commissioners for the city of Dover, is hereby established as follows: Upon the passage of this act the board of mayor and aldermen of said city shall elect three citizens of said city to be members of said board, the first of whom shall serve six years, the second, four years, and the third two years; and thereafter in the month of February, biennially, beginning in February 1905, said board of mayor and aldermen of said city, shall elect one citizen of said city to be a member of said board of street and park commissioners, to hold the office during the term of six years from the first day of March following, and until his successor is elected and qualified, unless sooner removed. If a vacancy occurs, the board of mayor and aldermen of said city shall elect some person to fill said vacancy for the residue of the term; and said board of mayor and aldermen may remove any member of said board of street and park commissioners so elected, at any time, for cause, or when the public good may require; *provided, however*, that no member of said board shall be removed except upon the affirmative vote of two thirds of all the members of said board of mayor and aldermen, voting by yea and nay. The members of said board of street and park commissioners shall be elected only from nominees duly submitted by the mayor of said city of Dover. At no time shall more than two of said board of street and park commissioners so elected by the board of mayor and aldermen, be members of the same political party. The mayor and city civil engineer shall be, *ex officio*, members of said board of street and park commissioners, with all the rights and privileges of their associates on said board. Said board shall be furnished by the said city, with a suitable office.

Organization and duties.

SECT. 2. In the month of March, annually, said board shall organize by the choice of one of its members as chairman, and shall also choose a clerk, who may be one of said commissioners. Said board of street and park commissioners shall have full charge, management, and control of the building,

constructing, repairing, and maintaining of all the streets, highways, lanes, alleys, sidewalks, and public sewers and drains, and of the public parks and commons, in said city of Dover, and shall have the expenditure of all appropriations which the city councils of said city shall from year to year vote for such purposes; and all bills for expenditures from the appropriations voted from year to year by the city councils for such purposes, shall be approved by said board before the same are paid by the city treasurer.

SECT. 3. Said board of street and park commissioners shall, upon entering upon the duties of their office, appoint a superintendent of streets, and so many assistant surveyors of highways as may be necessary, who shall hold office during the pleasure of the board; they shall also appoint such other subordinate officers and agents to carry out the provisions of this act as they shall deem expedient, and fix their compensation; they may remove any of said officers and agents at pleasure, and make such rules and regulations for their own government, and for the conduct of the superintendent of streets, assistant surveyors of highways, and all other subordinate officers and agents, and for the control and management of horses, wagons, tools, buildings, and other property, provided for performing any of the aforesaid works, as they shall deem expedient.

To appoint
superintendent,
etc.

SECT. 4. Said board of street and park commissioners shall, annually in the month of January, send to the joint standing committee on finance of the city councils, an estimate of the appropriations required for the maintenance of the public parks and commons for the ensuing year, and for the building, constructing, repairing and maintaining of the streets, highways, lanes, alleys, sidewalks, public sewers and drains of said city for the ensuing year, and in no case shall the expenditures for any given year exceed the available resources of the department represented by the appropriations specifically provided by the city councils, and the available income. And they shall make a detailed report to the city councils of the doings of said board for the year ending December 31st, of each year.

To furnish
annual
estimates.

SECT. 5. The commission appointed under this act shall continue in office the present superintendent of streets for said city of Dover, until December 31st, 1903, the term for which he was elected.

Present super-
intendent
continued.

SECT. 6. The said board of street and park commissioners shall be paid for all their services the sum of five hundred dollars per annum, to be divided as said board may determine; the superintendent of streets shall receive in full for all the duties appertaining to his office, the sum of one thousand dollars per annum; the city civil engineer, when professionally employed by the said board, shall receive for his services a sum not to exceed five dollars per day. All the above salaries to be paid monthly, from the resources of the department.

Compensation
of commis-
sioners, etc.

Repealing
clause; act
takes effect
on passage.

SECT. 7. All acts and parts of acts inconsistent with this act are hereby repealed so far as the city of Dover is concerned; and this act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 224.

AN ACT TO ESTABLISH THE LISBON VILLAGE DISTRICT.

SECTION	SECTION
1. Limits; may adopt act.	9. Borrowing money.
2. Special precinct meeting.	10. Bond of treasurer.
3. Powers of precinct.	11. Reports of commissioners; audit of accounts.
4. Officers and duties.	12. Fiscal year; annual meeting.
5. Additional powers.	13. Check-list.
6. Chief engineer and assistants.	14. Precinct a corporation.
7. Highway and sewer taxes.	15. Takes effect when; repealing clause.
8. Taxes, how voted and collected.	

Be it enacted by the Senate and House of Representatives in General Court convened:

Limits; may
adopt act.

SECTION 1. The Lisbon Village district shall comprise the Lisbon Village precinct established under laws heretofore in force and may adopt the provisions of this act.

Special pre-
cinct meet-
ing.

SECT. 2. The special meeting for the adoption of this act may be called by any justice of the peace, upon the petition of ten or more legal voters in said district, in the same manner as town meetings may be called by a justice of the peace.

Powers of
precinct.

SECT. 3. The said district shall have all the rights and be subject to all the liabilities now belonging to it, and shall have all the powers granted to village districts under chapter 53 of the Public Statutes, including the extinguishment of fires, the lighting and sprinkling of streets, the planting and caring for shade and ornamental trees, the supply of water for domestic and fire purposes, the construction and maintenance of sidewalks and main drains or common sewers, and the appointing and employing of watchmen and police officers, and the said district shall have all the powers in relation to these objects that towns have or may have in relation to like objects, and all that are necessary for the accomplishment of its purposes.

Officers and
duties.

SECT. 4. The legal voters of said district, at each annual meeting, shall elect by ballot a moderator, a clerk, a treasurer, an auditor, and three commissioners, all of whom shall be residents of the district. All of said officers shall be elected by a majority vote of all the legal voters present and voting at the annual meeting. The moderator, clerk, treasurer, and auditor shall hold their offices for one year and until their successors

are chosen or appointed and qualified. At the annual meeting at which this act shall be adopted, or, if it shall be adopted at a special meeting, at the next annual meeting thereafter, one commissioner shall be elected to serve for one year, one for two years, and one for three years, and thereafter at each annual meeting one commissioner shall be elected to serve for a term of three years. The moderator, clerk, treasurer, and commissioners shall severally qualify, and possess the same powers and perform the same duties in respect to the district's meetings and business affairs that the moderator, clerk, treasurer, and selectmen of towns respectively possess and perform in respect to like matters in towns. The commissioners shall fill vacancies in the offices of clerk and treasurer and in their own board in the same manner as selectmen are required to fill vacancies in corresponding town offices.

SECT. 5. The commissioners shall have, within the district, all the powers conferred by existing law upon the mayor and aldermen of cities respecting highways, sidewalks, and sewers; all the powers of city councils to regulate the use of public highways, sidewalks, and commons, as prescribed in section 10, sub-section 7, chapter 50 of the Public Statutes; all the powers of selectmen of towns respecting the locating and licensing of lines, of wire, poles, and other structures of telegraph, telephone, electric light, and electric power companies, as prescribed in chapter 81 of the Public Statutes, and respecting the granting of permits for riding bicycles without limit of speed, as prescribed in chapter 93 of the Laws of 1897, and respecting the protection and preservation of ornamental and shade trees, as prescribed in chapter 40 of the Public Statutes and chapter 85 of the Laws of 1895; all the powers of firewards as prescribed in chapter 115 of the Public Statutes, and of city councils as prescribed by section 10, sub-section 8, chapter 50 of the Public Statutes; and all the powers of health officers of towns as prescribed in chapter 108 of the Public Statutes, and of city councils as prescribed in section 10, sub-section 13, chapter 50 of the Public Statutes. The commissioners shall control and direct the expenditure of all moneys raised under authority of the district and by the town for expenditure in the district. They shall have sole authority to appoint a highway surveyor in said district, and in default of such appointment shall themselves perform the duties of that office. The surveyor or commissioners performing the duties of highway surveyor in the district shall give bond to the town to account for all money coming into their hands and for the proper care and custody of the property of the town or district which may come into their custody or control, and shall be deemed officers of the town. Nothing in this act shall be construed to impose any distinct or special liability upon the district respecting highways which is not by law imposed on any other highway district in said town.

Additional
powers.

Chief engineer and assistants.

SECT. 6. The commissioners may, if they think proper, appoint a chief engineer and two assistant engineers, who shall perform at fires the duties now devolving upon firewards, or fire engineers. The clerk of the district shall forthwith, after any election of firewards or engineers, report their names and post-office addresses to the town clerk.

Highway and sewer taxes.

SECT. 7. The district at its annual meeting shall determine what amount of money in addition to the highway taxes to be levied by the authority of the town shall be raised in the district, and what amount shall be raised for sewers. All taxes for sidewalks, highways, and sewers in the district shall be raised in money, whether by the authority of the town or district; *provided*, that nothing in this act shall be construed to derogate from the powers and duties of the town and selectmen to provide for ordinary and extraordinary repairs of bridges, culverts, highways, and embankments, and for the construction of new highways that may be laid out in the town.

Taxes, how voted and collected.

SECT. 8. The said district may vote to raise money at any legal meeting, in addition to the amount raised by the town, for expenditure in the district for any lawful purposes, including the making and repairing of highways, sidewalks, and sewers in the district, to purchase materials, tools, and apparatus, to purchase and lease land and buildings, to erect suitable buildings for the use of the district, but the land purchased for the district buildings and storage of its property shall not exceed one half-acre. All votes to raise money by taxation shall be certified by the clerk of the district and transmitted within ten days to the selectmen of the town, and the sums so voted shall be assessed, collected, and paid over from the town treasury upon the order of the selectmen to the treasurer of the district. The power to abate and correct the assessment of such taxes shall belong to the board authorized to assess them, and aggrieved parties shall have the same remedies for relief as in case of town taxes. The commissioners shall draw orders upon the treasurer of the district for the payment of all accounts and claims against the district allowed by them, and take proper vouchers therefor. All highway and sewerage taxes levied in the district shall be collected in money by the collector of other taxes in town, and, in the first instance, paid into the town treasury. A separate account of the same shall be kept by the town treasurer, but said funds shall be expended and accounted for by the district commissioners.

Borrowing money.

SECT. 9. The commissioners, upon authority given them by vote of the district at any annual meeting or special meeting called for that purpose, may borrow money upon the credit of the district, to be used only for the purposes of the district, upon such time of credit, at such rate of interest, and to such an amount, as may by vote of the district be specially authorized.

SECT. 10. The district treasurer shall within six days after his election or appointment, and before entering upon the duties of his office, give bond to the district with sufficient sureties to the acceptance of the district or the commissioners for the faithful performance of his official duty, in form like that of county officers, and in default thereof the office shall be vacant.

Bond of treasurer.

SECT. 11. The district commissioners shall annually prepare and submit in printed pamphlets a detailed account of all their transactions, their receipts and expenditures, with itemized statements of the prices paid for labor and material, to whom, for whom, and for what all such payments have been made, a statement of the indebtedness of the district, if any exists, and of all outstanding bills due or claimed to be due against the district at the close of the fiscal year. Such accounts shall be audited by the district auditor before the first day of March in each year, and in his report said auditor shall specify any illegal expenditures that he may find in the transactions of the commissioners or of the surveyor of the district.

Reports of commissioners; audit of accounts.

SECT. 12. The fiscal year for the district shall end on the 15th day of February. The annual meeting shall be holden in the month of March after the second Tuesday. In case of the neglect or refusal of the commissioners to warn a meeting or insert an article in a warrant, or of failure to hold an annual meeting within the period limited by this act, it shall be called and warned in the same manner as in like cases in towns.

Fiscal year; annual meeting.

SECT. 13. Upon petition of ten or more legal voters to the commissioners of the district, they shall prepare, post, and correct a check-list of the legal voters of the district for use at any meeting, as supervisors of check-lists are required to do in case of towns; and such check-list may be used in the election of officers, or otherwise, as a check-list may be used in town meetings.

Check-list.

SECT. 14. The village district of Lisbon is declared to be a municipal corporation within the meaning of the "Municipal Bonds Act, 1895," and to have the power and authority vested in municipal corporations by the said act.

Precinct a corporation.

SECT. 15. This act shall take effect upon its adoption by said district, except that if it shall be adopted at any special meeting, the terms of office of all persons then holding district offices in said district shall continue until its next annual meeting; and thereupon all acts and parts of acts inconsistent herewith shall be repealed so far as they or any of them shall be applicable to said district.

Takes effect when; repealing clause.

[Approved February 24, 1903.]

CHAPTER 225.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF BERLIN.

SECTION

1. Salary of mayor.
2. Salary of city clerk.
3. Compensation of city officers.

SECTION

4. Repealing clause; act takes effect when; popular vote on separate questions.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salary of
mayor.

SECTION 1. Amend section 12 of said charter by striking out the word "two" in the twelfth line and inserting in the place thereof the word four, so that said section as amended shall read as follows: SECT. 12. The mayor of said city shall be chosen annually, and shall have a negative upon all the acts of the council to which his veto power would extend had the city government herein constituted provided for a board of aldermen, and such veto power shall extend to individual items of appropriations. He shall preside in all meetings of the city council, but shall have no vote except in case of an equal division. In his absence, the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence or disability, or during a vacancy in said office from any cause. The mayor shall receive for his services an annual salary of four hundred dollars, payable semi-annually, which shall be in full for all services of every kind rendered by him in said office.

Salary of city
clerk.

SECT. 2. Amend section 13 of said charter by striking out the word "two" in the fourth line and inserting in the place thereof the word four, so that said section as amended shall read as follows: SECT. 13. The mayor and council shall annually, on the last Monday of March, meet for the purpose of taking their respective oaths, and shall elect a city clerk, who shall be clerk of the city council and have a salary of four hundred dollars per annum.

Compensation
of city offi-
cers.

SECT. 3. Amend section 14 of said charter by striking out the words "seventy-five" in the third line and inserting in the place thereof the words, one hundred and twenty-five. Further amend said section by adding after the words "per annum" in the fourth line, said assessors shall, in addition to said one hundred and twenty-five dollars each, be allowed the sum of one hundred dollars per annum for clerk hire. Further amend said section by striking out the word "fifty" in the seventh line and inserting in the place thereof the words, one hundred and fifty. Further amend said section by adding after the first paragraph, Said councilmen shall receive a fee of two dollars each for actual attendance at regular monthly meetings; and in addition

thereto an annual salary of twenty dollars shall be paid to each member of the committee of roads and bridges and the committee of accounts and claims. Further amend said section by inserting after the word "removed" in the second line of the second paragraph the words, for cause, so that said section as amended shall read as follows: SECT. 14. Said council shall also, within one week of said annual meeting, appoint a board of three assessors, one from each ward, who shall receive for their services one hundred and twenty-five dollars each per annum; said assessors shall, in addition to said one hundred and twenty-five dollars each, be allowed the sum of not exceeding one hundred dollars per annum for clerk hire; and said council shall also, within thirty days of said annual meeting, appoint a board of health of not more than three persons, a city treasurer, who shall also serve as treasurer of the board of education and receive as compensation one hundred and fifty dollars per annum, a city auditor, a collector of taxes, a city solicitor, a city marshal and police officers, a highway commissioner, a chief engineer and assistant engineers of the fire department; and may create such other governmental departments and elect or appoint such other officers or agents as are necessary for the good government of the city, not otherwise provided for. Said council shall receive a fee of two dollars each for actual attendance at regular monthly meetings, and in addition thereto an annual salary of twenty dollars shall be paid to each member of the committee of roads and bridges and the committee of accounts and claims.

The term of such officers shall be for one year, and until their successors are elected and qualified, unless sooner removed for cause, but all officers and agents shall be subject to removal by the city council. The compensation of officers and agents whose salary is not fixed shall be only such as may be fixed by the city council.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on the 30th day of March, 1903. *Provided, however,* that the voters of said city of Berlin shall, at their next annual meeting, adopt the same by majority vote. *Provided, also,* that only such of its provisions as are so ratified shall go into effect.

Repealing
clause; act
takes effect
when; popular
vote on
separate ques-
tions.

A separate vote shall be taken and recorded upon each of the foregoing sections and all independent provisions thereof, and for that purpose the following list of questions shall be inserted in the warrant of the said annual meeting and printed in full upon the official ballot to be used for the election of officers at said meeting, viz:

1. Shall your mayor receive for his services an annual salary of four hundred dollars, instead of two hundred dollars, as heretofore?

2. Shall your city clerk receive for his services an annual salary of four hundred dollars, instead of two hundred dollars, as heretofore?

3. Shall your three assessors receive for their services one hundred and twenty-five dollars each per annum, instead of seventy-five dollars each per annum, as heretofore?

4. Shall your assessors be hereafter allowed the sum of one hundred dollars for clerk hire?

5. Shall your city treasurer receive an annual salary of one hundred and fifty dollars, instead of fifty dollars, as heretofore?

6. Shall each one of your councilmen be paid a fee of two dollars for their actual attendance at the regular monthly meetings?

7. Shall the members of the committee on roads and bridges of your city council, and those of the committee on accounts and claims receive hereafter an annual salary of twenty dollars each?

8. Shall your city officers be removed hereafter for cause only?

[Approved February 24, 1903.]

CHAPTER 226.

AN ACT TO AUTHORIZE THE TOWN OF LANCASTER TO EXEMPT CERTAIN PROPERTY FROM TAXATION, AND TO RATIFY ITS DOINGS IN THE SAME.

SECTION

1. Exemption ratified and authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption
ratified and
authorized.

SECTION 1. That the town of Lancaster be, and hereby is, authorized to hereafter exempt from taxation the interest of the North Star Masonic Corporation in the real estate and other property now owned in common by said town and said corporation, until said Masonic corporation shall have freed its said interest therein from mortgage debt, not exceeding in all ten years after the passage hereof; and all acts heretofore done by said town by its officers, committees or agents, and all votes of said town heretofore passed, pertaining to such exemption, are hereby ratified, confirmed and legalized.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 227.

AN ACT TO AUTHORIZE THE TOWN OF LANCASTER TO ACQUIRE PROPERTY FOR THE PROTECTION OF ITS WATER SUPPLY.

SECTION	SECTION
1. Acquisition of property authorized.	3. Power of eminent domain.
2. Issue of bonds.	4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the town of Lancaster and the Lancaster Fire Precinct, or either of the same, be and hereby are authorized to acquire by purchase or condemnation all or any of the lands constituting the watershed at, around and above the source of its present domestic water supply, known as the Garland Brook watershed, or so much thereof as said town or precinct may by vote from time to time determine to acquire.

Acquisition of property authorized.

SECT. 2. Said town and precinct or either of them may issue bonds in such denominations and upon such terms as the selectmen of said town and the commissioners of said precinct, or either of said boards acting for its own municipality alone, may determine; and such bonds shall be signed by said selectmen and said commissioners, and countersigned by the treasurer of said town and of said precinct, or by either of said boards and its respective treasurer acting for either of said municipalities alone.

Issue of bonds.

SECT. 3. If said municipalities, or either of them, through their selectmen or commissioners, shall be unable to agree upon the value of any of said lands with the owners thereof, or if they shall be unable for any reason to acquire title to any of the same by purchase, they may proceed under power of eminent domain to appropriate the same to such public use in like manner as lands taken for highways laid out by selectmen are taken, as now provided by law.

Power of eminent domain.

SECT. 4. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 24, 1903.]

CHAPTER 228.

AN ACT TO LEGALIZE THE BIENNIAL ELECTION OF THE TOWN OF
EFFINGHAM, HELD NOVEMBER 4, 1902.

SECTION

1. Election legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Election le-
galized.

SECTION 1. That the acts of the town of Effingham at the biennial election held Tuesday, November 4th, 1902, be, and the same are hereby declared legal, and all elections made at said meeting are hereby ratified and confirmed.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 229.

AN ACT AUTHORIZING THE TOWN OF HUDSON TO CONSTRUCT WATER-
WORKS AND ESTABLISH AN ELECTRIC LIGHT PLANT.

SECTION

1. Water-works authorized.
2. May purchase or take certain property; assessment of damages.
3. May furnish electric light and power.
4. Board of commissioners authorized.

SECTION

5. Compensation of commissioners; organization and duties.
6. Funds to defray expense.
7. Takes effect when.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Water-works
authorized.

SECTION 1. The town of Hudson is hereby authorized to construct, maintain and manage works for supplying said town with water for extinguishing fires and for other uses for which water may be required and for that purpose may purchase, take and hold all real estate required therefor and may erect and maintain such dams, reservoirs, buildings and other structures as may be necessary therefor, and may dig trenches and break up ground in highways, streets and other public places, and lay and maintain pipes for conducting water therein, and relay and change the same from time to time, having due regard in the prosecution of said work to the safety and convenience of the public travel. Said town is also hereby authorized and empowered to purchase of the corporation known as

the Hudson, N. H., Water-works Company all the real estate, water-rights, dams, reservoirs and other structures, steam engines, force pumps, pipes, and other fixtures of said corporation and constituting their water-works, at a price to be agreed upon or determined by the parties. The said estate, rights, and property, so purchased or taken, shall be vested in said town, and be held and managed as a part of the water-works of the town, in the same manner and to the same extent as if the same had been originally constructed under the authority of this act.

SECT. 2. It shall be lawful for the said corporation, known as the Hudson, N. H., Water-works Company, to sell and convey, and for the said town to purchase and take a conveyance of the real estate, rights, and property aforesaid of said corporation and of all their corporate franchises, powers and privileges under their charter, so far as the same are necessary to be conveyed for the use and enjoyment by the town under such conveyance of the estate, rights and property aforesaid, to the same extent and in the same manner as the same may be used and enjoyed by said corporation under its charter; but if the same cannot be purchased by the town upon reasonable terms, then it shall be lawful for said town to take and hold said estate, rights, property, franchises, powers and privileges for the purposes of this act and so far as may be necessary for said purposes, in manner following; that is to say,—the said town shall apply, by petition, to any two justices of the superior court for the appointment of a committee of three competent and disinterested persons to assess the damages to said corporation for the estate, rights and property so taken, and the said justices, upon notice to and a hearing of the parties, shall appoint such committee and certify under their hands said appointment to each of said committee, designating therein the person to act as chairman. The said committee upon reasonable notice to the parties, shall make examination of the estate, rights and property aforesaid, and hear the parties, and if, in the opinion of the committee, any of the estate, rights and property aforesaid are necessary to be taken by said town for the purposes of this act, they shall estimate and assess the damages to said corporation for taking the same, and as soon as may be make report and award of said assessment under their hands, or the hands of a majority of them to the said justices. They shall set forth in said report with reasonable certainty, a description by metes and bounds or other particular description of the estate, rights and property for taking which the damages are assessed, and shall determine and set forth in said report the time or times for the payment of said damages and the security to be given for such payment. The said justices on notice to and a hearing of the parties may accept said report or for cause reject or recommit the same, and if recommitted, they shall certify to the committee the grounds or causes for recommitment; and a

May purchase
or take cer-
tain property;
assessment of
damages.

further hearing may be had before the committee, upon due notice to the parties, for the purpose of removing, if it may be, said grounds or causes. If the report is accepted by said justices, whether without or upon recommitment it shall be filed in the office of the town clerk of said town, with the certificate of said justices thereon that it is accepted by them; and upon payment or tender by the town to said corporation of the damages so assessed or of the securities for the payment thereof agreeably to said report, the said estate, rights and property so described in said report, and for taking which said damages are assessed, shall vest in and be held by said town.

May furnish
electric light
and power.

SECT. 3. The said town of Hudson is hereby further empowered and authorized for the purpose of lighting its streets and public buildings and the furnishing of electric power to establish and maintain an electric plant and for the purpose aforesaid may erect and maintain poles and extend wires over or under the streets in said town, and may take, purchase, and hold in fee simple or otherwise any real or personal estate and any rights therein necessary for carrying into effect the purposes of this act; and may purchase, erect, construct, and maintain such machinery, dams, reservoirs, buildings, and other things as may be necessary for said electric light works, and to excavate and dig ditches in any highway, place, square, pass-way or common, or other place, through which it may be deemed necessary and proper to construct said electric light works, and to relay, change, and repair the same at pleasure, having due regard for the safety of its citizens and the public travel.

Board of com-
missioners
authorized.

SECT. 4. For the more convenient management of said water-works and said electric plant, the said town may place the construction, management, control, and direction thereof in a board of water and lighting commissioners, to consist of three citizens of the town, said commissioners to be vested with such powers and duties relating to the construction, control, and management of the same as may from time to time be prescribed by said town. Their term of office shall be for three years and until their successors are elected and qualified. The first board of commissioners may be chosen by the legal voters of the town at the next or any subsequent annual meeting, or at any special meeting duly called for that purpose, and their successors shall be elected at each annual meeting thereafter; *provided, however*, that of those first elected, the term of one shall expire at the first annual meeting after the first board is elected, one at the second annual meeting held thereafterwards, and one at the third annual meeting held thereafterwards, and after the first election one shall be elected for three years at each annual meeting, to fill the occurring vacancy; *provided, also*, that the term of service of the commissioners first elected shall be designated at the time of their election. Said commissioners may

be appointed by the selectmen of said town if the town shall fail to elect, or if the town at any annual meeting vote to authorize and instruct the selectmen to make the appointment.

SECT. 5. The compensation of such commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board, and another member as clerk of their board, who shall keep a proper record of their doings. Said board shall appoint a superintendent of the plant, and such other officers and agents as they may deem necessary; and they shall furnish the town clerk certificate of their organization and appointments, and the town clerk shall record the same in the records of the town. The commissioners shall fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur in said board from any cause, the remaining members of the board shall certify that fact to the selectmen of the town, who shall fill such vacancy temporarily by appointing a citizen of said town in writing, which appointment shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the time other town officers report, of the condition of said water-works and lighting plant financially and otherwise, showing the income from said water-works and lighting plant, the funds belonging to their departments, the expenses of maintenance the cost of works and plant, and operating expenses, and such other facts and information as the town should have, which report shall be published each year in the annual report of said town.

Compensation of commissioners; organization and duties.

SECT. 6. The said town is authorized to levy taxes to defray the expense of said works, and to hire money not exceeding in the whole sum of fifty thousand dollars, and to issue therefor the notes, bonds or other obligations of the town payable at such times and on such interest as the town at any legal meeting may determine; and such notes, bonds or other obligations shall be valid and binding on the town.

Funds to defray expense.

SECT. 7. This act shall be submitted for acceptance to the voters of said town at the next town election, that the same may be legally submitted, and if accepted by a majority of those voting thereon at such election it shall thereupon take full effect.

Takes effect when.

[Approved February 24, 1903.]

CHAPTER 230.

AN ACT TO LEGALIZE THE BIENNIAL ELECTION OF THE TOWN OF CONWAY,
HELD NOVEMBER 4, 1902.

SECTION

1. Election legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Election
legalized.

SECTION 1. That the biennial election of the town of Conway, held Tuesday November 4th, 1902, be and the same is hereby declared legal, and that all acts done and all elections made at said meeting are hereby ratified and confirmed.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 24, 1903.]

CHAPTER 231.

AN ACT TO LEGALIZE AND CONFIRM THE SELECTMEN'S WARRANT FOR,
AND THE VOTES AND PROCEEDINGS THEREUNDER AT, THE BIENNIAL
ELECTION AND MEETING IN THE TOWN OF COLUMBIA, HELD IN SAID
TOWN ON THE FOURTH DAY OF NOVEMBER A. D. 1902.

SECTION

1. Warrant and election legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Warrant and
election
legalized.

SECTION 1. That the selectmen's warrant for, and the votes and proceedings thereunder at, the biennial election and meeting in the town of Columbia, held in said town on the fourth day of November A. D. 1902, are hereby legalized and confirmed.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 24, 1903.]

CHAPTER 232.

AN ACT TO LEGALIZE TOWN MEETINGS IN DORCHESTER FOR THE YEARS
1896, 1897, 1898, 1899, AND 1900.

SECTION

1. Warrants and elections legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That the selectmen's warrant for the calling of the town meetings of the town of Dorchester for the years 1896, 1897, 1898, 1899 and 1900 and all acts and proceedings of the voters at said meetings and the selectmen, tax collector and all other town officers elected at said meetings and all their acts in assessing, levying and collecting the taxes at tax sales for said years are hereby legalized and made valid.

Warrants and
elections le-
galized.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved February 24, 1903.]

CHAPTER 233.

AN ACT TO LEGALIZE AND CONFIRM THE WARRANT FOR, AND THE VOTES
AND PROCEEDINGS AT, THE BIENNIAL ELECTION AND MEETING IN
STRATHAM, HELD THE FOURTH DAY OF NOVEMBER, 1902.

SECTION

1. Warrant and election legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That the selectmen's warrant for, and the votes and proceedings thereunder at, the biennial election and meeting in the town of Stratham, held in said town on the fourth day of November, 1902, are hereby legalized and confirmed.

Warrant and
election legal-
ized.

SECT. 2. That this act shall take effect on its passage.

Takes effect
on passage.

[Approved February 24, 1903.]

CHAPTER 234.

AN ACT TO REPEAL AN ACT OF THE LEGISLATURE OF 1842, ENTITLED
 “AN ACT TO ANNEX RICHARD PICKERING OF NEWINGTON TO SCHOOL
 DISTRICT NO. 1, IN PORTSMOUTH,” APPROVED JUNE 22, 1842.

SECTION

1. Former act repealed.

SECTION

2. Repealing clause; act takes effect when.

*Be it enacted by the Senate and House of Representatives in
 General Court convened:*

Former act re-
pealed.

SECTION 1. The act of the legislature of 1842 entitled
 “An act to annex Richard Pickering of Newington to school
 district No. 1 in Portsmouth” approved June 22, 1842 is
 hereby repealed.

Repealing
clause; act
takes effect
when.

SECT. 2. All acts and parts of acts inconsistent with this
 act are hereby repealed. And this act shall take effect and be
 in force on, from and after the first day of March next.

[Approved February 24, 1903.]

CHAPTER 235.

AN ACT TO REPEAL THE CHARTER OF THE MASSABESIC HORSE RAILROAD
 COMPANY.

SECTION

1. Former act repealed.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
 General Court convened:*

Former act re-
pealed.

SECTION 1. The act to incorporate the Massabesic Horse
 Railroad Company approved September 28 1887 is hereby
 repealed.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 25, 1903.]

CHAPTER 236.

AN ACT TO AMEND SECTION 1 OF AN ACT OF JUNE, 1814, INCORPORATING THE CONGREGATIONAL SOCIETY IN DURHAM.

SECTION

1. Charter amended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 1 of an act of June, 1814, incorporating the Congregational Society in Durham, be amended by striking out the words "not exceeding seven thousand dollars."

Charter amended.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 25, 1903.]

CHAPTER 237.

AN ACT TO CHANGE THE NAME OF "THE WOMAN'S AUXILIARY TO THE CITY MISSIONARY SOCIETY OF MANCHESTER."

SECTION

1. Name changed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The name of "The Woman's Auxiliary to the City Missionary Society of Manchester" be, and is changed to, District Nursing Association of the City of Manchester.

Name changed.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 25, 1903.]

CHAPTER 238.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 2555, LAWS OF 1861,
ENTITLED "AN ACT TO INCORPORATE THE ALPHA DELTA PHI
SOCIETY."

SECTION

1. Charter amended.

SECTION

3. [2.] Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Charter
amended.

SECTION 1. That section 2, chapter 2555, Laws of 1861, be amended by striking out the words "five thousand dollars" and inserting in place thereof the words, twenty thousand dollars, so that said section as amended shall read: SECT. 2. Said corporation may take and hold real and personal estate at Hanover, in this state, to an amount not exceeding twenty thousand dollars, and the same may sell, convey, and otherwise dispose of at pleasure.

Takes effect
on passage.

SECT. 3. [2.] This act shall take effect upon its passage.

[Approved February 25, 1903.]

CHAPTER 239.

AN ACT TO REVIVE, RENEW, AND AMEND THE CHARTER OF THE KNIGHTS
OF PYTHIAS BUILDING ASSOCIATION OF MANCHESTER.

SECTION

1. Charter revived and amended.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Charter
revived and
amended.

SECTION 1. That the act entitled "An act to incorporate the Knights of Pythias Building Association of Manchester," passed at the session of 1895, and approved March 29th, 1895, is hereby revived, renewed and re-enacted with the following amendment: Amend said act by striking out the whole of section 8, and inserting instead thereof the following: SECT. 8. Any three persons named in this act may call the first meeting of the corporation after the passage of this act by notice by mail to each grantee now living, at least one week before the day of meeting.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 25, 1903.]

CHAPTER 240.

AN ACT TO ENABLE THE CITY OF MANCHESTER TO APPROPRIATE MONEY TOWARD THE ARMORY RENT OF CAMP DERWIN NO. 184 SPANISH AMERICAN WAR VETERANS.

SECTION	SECTION
1. Appropriation ratified and authorized.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The city of Manchester is hereby authorized to appropriate a sum not exceeding one hundred dollars annually for the purpose of paying the same annually toward the armory rent of Camp Derwin No. 184, Spanish American War Veterans. And the action of the city councils of said Manchester in appropriating in the year 1902 one hundred dollars for said purpose is hereby ratified.

Appropriation ratified and authorized.

SECT. 2. This act shall take effect upon its passage.
[Approved February 25, 1903.]

Takes effect on passage.

CHAPTER 241.

AN ACT TO EQUALIZE SCHOOL PRIVILEGES IN THE TOWN OF LITTLETON.

SECTION	SECTION
1. Consolidation of districts.	3. Disposition of records.
2. Disposition of property; assumption of liability.	4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The town school district of Littleton is hereby annexed to the Union school district of said Littleton.

Consolidation of districts.

SECT. 2. All of the schoolhouses, sites, appliances, apparatus, books, supplies, and other property belonging to said town district shall be vested in said Union district upon the passage of this act, and shall be delivered by the school board of said town district to the board of education of said Union district. And all debts and obligations of said town district shall be assumed by said Union district.

Disposition of property; assumption of liability.

SECT. 3. The school board, clerk, and treasurer of said town district shall forthwith deposit all records of said district with the town clerk of Littleton for preservation.

Disposition of records.

SECT. 4. This act shall take effect upon its passage.
[Approved February 25, 1903.]

Takes effect on passage.

CHAPTER 242.

AN ACT TO UNITE THE SCHOOL DISTRICTS OF THE TOWN OF ROLLINSFORD.

SECTION

1. Consolidation of districts.
2. Disposition of property; assumption of liability.
3. Annual meeting, how warned.

SECTION

4. Present officers to hold over.
5. Disposition of records.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Consolidation of districts.

SECTION 1. School district No. 1 in the town of Rollinsford and the town school district of said town of Rollinsford are hereby united to form the school district of the town of Rollinsford.

Disposition of property; assumption of liability.

SECT. 2. All of the schoolhouses, sites, appliances, apparatus, books, supplies, and other property belonging to either of said districts shall become the property of the town school district thus formed, and shall be delivered by the school boards of the respective districts to the town school board chosen as hereinafter provided. And all debts or obligations of either of said districts shall be assumed by the town school district.

Annual meeting, how warned.

SECT. 3. The selectmen of the town of Rollinsford shall warn the inhabitants of the town school district formed by this act, of the annual school district meeting for 1903, by posting a warrant as required by law, for the transaction of all district business and the election of all district officers. The school board chosen at such meeting shall be chosen, one member for one year, one member for two years, and one member for three years.

Present officers to hold over.

SECT. 4. The officers of said district No. 1 and the present town district shall hold office until their successors shall be elected and qualified in accordance with section 3 of this act.

Disposition of records.

SECT. 5. The records of the school boards, the clerks, and the treasurers of both of said districts shall be deposited with the town clerk of the town of Rollinsford for preservation.

Takes effect on passage.

SECT. 6. This act shall take effect upon its passage.

[Approved February 25, 1903.]

CHAPTER 243.

AN ACT TO AUTHORIZE THE CONNECTICUT RIVER RAILROAD COMPANY
TO ACQUIRE STOCK OF THE VERMONT VALLEY RAILROAD.

SECTION	SECTION
1. Authority granted.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The Connecticut River Railroad Company is hereby authorized to acquire, by purchase or exchange, and to hold the shares of the capital stock, or any part thereof, of the Vermont Valley Railroad, a corporation duly organized under the laws of the State of Vermont, and, subject to the approval of the board of railroad commissioners, to issue in payment or exchange therefor its own common capital stock: *provided, however,* that it shall not for the purpose aforesaid issue any greater amount of its own stock at par than the amount at par of capital stock so acquired.

Authority granted.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 3, 1903.]

CHAPTER 244.

AN ACT TO EXTEND THE TIME OF THE CHARTER OF THE KEENE, MARLOW
AND NEWPORT ELECTRIC RAILWAY COMPANY.

SECTION	SECTION
1. Time for building extended.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The time fixed in the charter of the Keene, Marlow and Newport Electric Railway Company, in which to build its road, approved March 21, 1901 chapter 261 Laws of 1901, is hereby extended to March 21, 1905.

Time for building extended.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 3, 1903.]

CHAPTER 245.

AN ACT TO AMEND THE CHARTER OF BROWN'S LUMBER COMPANY, OF WHITEFIELD, APPROVED JULY 1, 1874.

SECTION 1. Charter amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter amended.

SECTION 1. Amend section 3 of said charter by striking out the words "in the counties of Coös and Grafton" where said words appear in said section, so that said section as amended shall read: SECT. 3. The business of said corporation shall be the purchase and sale of land and the manufacture of lumber, and to this end the capital stock may be invested and employed in lands, mills, improvements, means of transportation, and such other property as may be essential to the proper management of said business.

[Approved March 3, 1903.]

CHAPTER 246.

AN ACT TO ENABLE THE HEDDING CAMPMEETING ASSOCIATION TO FUND ITS INDEBTEDNESS.

SECTION

1. Issue of bonds authorized.
2. How secured.

SECTION

3. Annual assessment.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Issue of bonds authorized.

SECTION 1. Said association is hereby authorized, for the purpose of funding its present indebtedness, to issue bonds of the association for a sum not exceeding seven thousand dollars, payable at such time, bearing such rate of interest and in such denominations as the trustees of the association may determine.

How secured.

SECT. 2. The payment of the bonds hereby provided for, shall be secured by mortgage upon all the real estate of the association, to be made to Stephen D. Wentworth of Rochester, New Hampshire, and his successors in office, in trust, for the holders of said bonds. Said mortgage, and said bonds together with the coupons, if any, thereto attached shall be signed by the president of the board of trustees and the treasurer, for and in behalf of the association.

SECT. 3. By vote of a majority of said trustees, said association may raise money for the payment of said bonds by levying an equitable annual assessment upon the members of the association, the aggregate amount of such assessment not to exceed the sum of fifteen hundred dollars, in any one year.

Annual assessment.

SECT. 4. This act takes effect upon its passage.

Takes effect on passage.

[Approved March 3, 1903.]

CHAPTER 247.

AN ACT IN AMENDMENT OF AN ACT APPROVED MARCH 26, 1895, ENTITLED "AN ACT IN AMENDMENT OF AN ACT INCORPORATING THE NEW-MARKET MANUFACTURING COMPANY, APPROVED JUNE 12, 1823, AND AN ACT IN AMENDMENT THEREOF, APPROVED JULY 7, 1881."

SECTION

1. Reduction of capital stock.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 1 of chapter 253 of the Laws of New Hampshire, approved March 26, 1895, be amended by striking out the words, "not more than fifty per cent." and by inserting instead thereof the words, so that said capital stock as thus reduced shall not be less than eighty thousand dollars; also by striking out the words "vote of not less than three fifths" and by inserting instead thereof the words, a majority vote, so that said section as amended shall read as follows: The Newmarket Manufacturing Company, in order to make the par value of the shares in the capital stock now outstanding conform to their actual and market value, may, at any legal meeting of the stockholders called for that purpose, reduce the par value of said shares now outstanding and thereby reduce said capital stock, so that said capital stock as thus reduced shall not be less than eighty thousand dollars, by a majority vote of the capital stock of said company represented at said meeting. Said company, at any legal meeting of the stockholders called for the purpose, may by like vote also increase the number of shares, and thereby diminish the par value thereof, but the par value of its shares shall not be fixed below one hundred dollars.

Reduction of capital stock.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 3, 1903.]

CHAPTER 248.

AN ACT TO EXEMPT FROM TAXATION REAL ESTATE RESERVATIONS OF
THE APPALACHIAN MOUNTAIN CLUB.

SECTION

1. Certain property exempted.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Certain prop-
erty ex-
empted.

SECTION 1. Real estate now held by the Appalachian Mountain Club, which is used and developed as reservations open to the public under the reasonable regulations of the said club, and from which it shall receive no income or profit, appropriated otherwise than for maintenance, shall be exempt from taxation.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 3, 1903.]

CHAPTER 249.

AN ACT TO INCORPORATE THE NASHUA AND HOLLIS ELECTRIC RAIL-
ROAD COMPANY.

SECTION

1. Corporation constituted; purposes and powers.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. Bonds not to be sold at less than par.
11. Restrictions on sale of bonds, etc.
12. First meeting.
13. Takes effect on passage; void as to parts not built in two years.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*Corporation
constituted;
purposes and
powers.

SECTION 1. That Edward Hardy, Silas M. Spalding, Charles B. Richardson, Joseph Gates, Charles M. Stratton, Henry G. Cameron, Elbridge J. Farley, Charles A. Colburn, George B. Cleasby, Homer Roby, George A. Ladd, Charles E. Hardy, Willis E. Hardy, George S. Hazard and Marcellus J. Powers, all of Hollis, in the county of Hillsborough and state of New Hampshire, their associates, successors and assigns, are hereby made a body corporate by the name of the Nashua

and Hollis Electric Railway Company, with power to construct, maintain and use a railroad with convenient single or double track, with necessary and convenient sidings, turnouts, switches and side-tracks, from a point at the Nashua Street Railway on Amherst street in Nashua, N. H., where Broad street intersects said Amherst street; thence westerly on Broad street, and the Main road from Nashua to Hollis to a point near the Congregational church in Hollis Center; thence westerly to Main street; thence southerly along Main street to the first road turning to the right south of the present homestead of Jefferson Farley; thence southwesterly following said last mentioned road past the house of Samuel A. Worcester to a point where said road crosses the state line, said roads being situate in the city of Nashua and town of Hollis, in the county of Hillsborough and state of New Hampshire: And to erect and maintain in and upon said highways or bridges and such public and private land as may be necessary, poles, wires, and all necessary appliances to operate said railroad by electricity or by any other motive power except steam. Said corporation may also construct and maintain suitable buildings, dams, water motors, engines, electric and other machinery and apparatus for the operation of said railroad, and are hereby authorized to furnish power, and light, and to sell the same, to make contracts pertaining thereto, and to collect tolls therefor.

SECT. 2. The capital stock of said corporation shall not exceed one hundred and fifty thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time, shall be determined and issued in accordance with the provisions of the general laws.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town or the board of mayor and aldermen of the city in which said portions of highways or streets may be. The selectmen of the towns, or mayor and aldermen of cities, respectively, upon petition of the directors of said railway for a location of its tracks over or on any public highway upon the line of said route, shall give notice by publication to all parties interested, of the time and place at which they will consider said petition for location in the public highways of said town or towns, city or cities, and after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and

Capital stock.

How laid out
in highways.

the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon the petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, boards of mayor and aldermen, or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the city or town, as such board may deem just. The boards of mayor and aldermen of cities and selectmen of towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How laid out elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of tracks.

SECT. 5. The selectmen of the towns and the board of mayor and aldermen of cities through which said railway shall pass shall, within their respective towns or cities, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen may make certain regulations.

SECT. 6. The boards of mayor and aldermen of cities and the selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their said towns or cities, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns or cities, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns or cities.

Rights reserved to towns.

SECT. 7. Said towns and cities, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns or cities, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Company to keep highways in repair.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Subject to general law.

SECT. 10. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

Bonds, not to be sold at less than par.

SECT. 11. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

Restrictions on sale of bonds, etc.

SECT. 12. Any three of the grantees may call the first meeting by publication, or by giving personal notice to the other grantees, at least ten days prior to the time of the meeting.

First meeting.

SECT. 13. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

Takes effect on passage; void as to parts not built in two years.

[Approved March 3, 1903.]

CHAPTER 250.

AN ACT TO CHANGE THE NAME OF THE NEW HAMPSHIRE HEALTH AND ACCIDENT INSURANCE COMPANY, AND TO FURTHER DEFINE ITS POWERS AND PRIVILEGES.

SECTION

1. Name changed.
2. Powers of corporation.
3. Deposit of securities.
4. Securities not to be alienated.
5. Indorsement of policies.
6. No obligation on part of state.
7. Policies, how charged against company.

SECTION

8. Reports to commissioner.
9. Access to books.
10. Withdrawal of securities.
11. Fees to be paid.
12. Proceedings if company unsafe.
13. Repealing clause.
14. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name
changed.

SECTION 1. The name of the New Hampshire Health and Accident Insurance Company is hereby changed to State Security Life and Accident Company, hereinafter called the company.

Powers of
corporation.

SECT. 2. It may issue policies of insurance upon the lives or health of persons, or of indemnity for injury, disability or death by travel or general accident, and any form of insurance appertaining thereto, but shall engage in no other line of insurance. Except as in this act otherwise provided, it shall exercise the powers and privileges and be governed by the restrictions of the act of February 27, 1901, incorporating said company.

Deposit of
securities.

SECT. 3. It shall deposit securities of the kind authorized by law for the investment of savings-bank funds with the state treasurer (who shall issue his receipt for same) for the common benefit of all the holders of its life policies. Such securities shall be held in trust for the purposes and objects specified in this act.

Securities not
to be alien-
ated.

SECT. 4. Such securities shall not be alienated from the purposes of such trust, nor transferred except by the state treasurer under his seal of office, upon the written application, under its corporate seal, of the company or of a receiver thereof, in compliance with the laws of the state relating to such transfers.

Indorsement
of policies by
commissioner.

SECT. 5. The company shall deliver to the insurance commissioner the policies engraved or printed and written and duly signed. On their receipt the commissioner shall cause to be stamped upon the face or filing page thereof the words, The reserve on this policy is secured by pledge of stocks, bonds or securities, with the seal of the insurance department, and the policy shall be returned to the company.

SECT. 6. The state shall not be deemed to have incurred any obligation to pay the policies so issued, beyond the proper application of the securities so deposited towards their liquidation, as in this act provided.

No obligation assumed by state.

SECT. 7. The company shall be charged by the insurance commissioner upon the delivery of such policies with the amounts of the net present value thereof valued by the actuaries' table (such table to be furnished by the company) of mortality with four per cent. interest according to the amount and number of premiums paid annually, semi-annually or quarterly thereon and the terms thereof, but in no case shall the amount of such value exceed in the aggregate the value of securities deposited under the provisions of this act.

Policies, how charged against company.

SECT. 8. The company shall annually on July 1st or within sixty days thereafter report to the insurance commissioner under the oath of its president and secretary the exact condition of its life policies and of the premium account thereof, and shall deposit with the state treasurer additional and similar securities to an amount equal to any increase in value of the policies heretofore issued and which shall remain in force, valued by the same rule as upon the issue thereof. The securities thus from time to time deposited, or so large an amount thereof as may be necessary to equal at all times the net value of all outstanding life policies of the company, shall be held by the state treasurer in trust, as hereinbefore provided, until the obligation of the company, under such life policies, shall, to the satisfaction of the insurance commissioner, be fully liquidated, cancelled and annulled.

Reports to commissioner.

SECT. 9. The insurance commissioner of the state, and any person duly authorized by the company, shall, at all times, in the usual office hours, have access to the books and other documents in the state treasurer's office relating to the deposit made and policies issued under the provisions of this act, and to such securities as may be necessary for the examination thereof.

Access to books.

SECT. 10. The company may at any time withdraw any excess of securities above the net present value hereinbefore specified, upon satisfying the insurance commissioner by written proof to be filed in the department that such excess exists, and shall be allowed to receive the interest on all securities deposited and to exchange such securities at any time by substituting others of equal value.

Withdrawal of securities.

SECT. 11. The company shall pay to the insurance department a fee of one dollar for each policy so stamped and countersigned. Such fees, less such amount as may be required for the clerical work necessary for executing the provisions of this act, not exceeding five hundred dollars per annum, shall be covered into the state treasury.

Fees to be paid.

Proceedings
if company
unsafe.

SECT. 12. If at any time the affairs of the company, in the opinion of the insurance commissioner, appear to be in such a condition as to render the issuing of additional policies by it injurious to the public interests he shall report the fact to the attorney-general, who shall bring such action or institute such proceedings as may be authorized by law to be taken against an insolvent insurance corporation. If in any such action or proceedings it shall appear to the satisfaction of the court that the assets and funds of the company are not sufficient to justify its further continuance of the business authorized by the provisions of this act, it shall enjoin and restrain the company from the further transaction of its business and appoint a receiver of its assets and credits, who, upon filing his bond to the people of the state in an amount and with sureties approved by the court, conditioned for the faithful performance of his duties, shall take possession of all such assets and credits, including the securities deposited with the state treasurer. The company shall not be considered insolvent and no receiver shall be appointed if it has actual funds invested of a net cash value equal to its outstanding liabilities, and a sufficient reserve on policies and claims not matured, calculated according to the actuaries' table of mortality with interest at four and one-half per cent. : but if its premium reserve fund, calculated according to the actuaries' table of mortality with interest at four per cent. is shown to be impaired it shall not issue new policies until such impairment is made good, and the certificate of the insurance commissioner is issued to it to that effect. The capital stock shall not be considered as a liability in making the computations provided by this section.

Repealing
clause.

SECT. 13. All acts and parts of acts inconsistent with this act are hereby repealed.

Takes effect
on passage.

SECT. 14. This act shall take effect upon its passage.

[Approved March 3, 1903.]

CHAPTER 251.

AN ACT IN AMENDMENT OF CHAPTER 202 OF THE LAWS OF 1889, ENTITLED "AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF WOLFE-BOROUGH," AS AMENDED BY CHAPTER 191 OF THE LAWS OF 1891.

SECTION

1. Board of water commissioners created.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 3 of chapter 202 of the Laws of 1889 as amended by chapter 191 of the Laws of 1891 is hereby amended by striking out all of said section after the word "proper" in the fifth line, and inserting instead thereof words as follows: and the said town shall place said water-works under the direction and control of a board of three water commissioners who may appoint and employ all necessary officers, agents and servants; and the selectmen of said town are hereby authorized and empowered to appoint such board of commissioners with such powers and duties as may be from time to time prescribed by said town. So that, as amended, said section shall read: Said town is authorized and empowered to contract with individuals and corporations for supplying them with water, and to make such contracts and establish such regulations and tolls for the use of water, as may from time to time be deemed proper; and the said town shall place said water-works under the direction and control of a board of three water commissioners who may appoint and employ all necessary officers, agents and servants; and the selectmen of said town are hereby authorized and empowered to appoint such board of commissioners with such powers and duties as may from time to time be prescribed by said town.

Board of
water com-
missioners
created.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 3, 1903.]

CHAPTER 252.

AN ACT TO ANNEX A CERTAIN ISLAND IN LAKE WINNIPESAUKEE, NOW OWNED AND OCCUPIED BY GEORGE W. SHERWELL, BEING ONE OF THE GROUP OF ISLANDS KNOWN AS THE "AUNT DOLLY" ISLANDS, TO THE TOWN OF MEREDITH.

SECTION

1. Island annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Island
annexed.

SECTION 1. That the island now owned and occupied by George W. Sherwell, of Laconia, New Hampshire, situated in Lake Winnepesaukee, southwest of Bear island, and near the same, being one of a group of islands known as the "Aunt Dolly" islands, each of which is without a name of its own, be and the same is hereby annexed to the town of Meredith, for the purpose of taxation.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 4, 1903.]

CHAPTER 253.

AN ACT AUTHORIZING THE TOWN OF PETERBOROUGH TO EXEMPT FROM TAXATION THE IMPROVEMENTS OR NEW BUILDINGS TO BE ERECTED ON THE "TARBELL BLOCK LOT."

SECTION

1. Exemption authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption
authorized.

SECTION 1. That the town of Peterborough be and hereby is authorized to exempt from local taxation the improvements or new buildings to be erected on the "Tarbell Block Lot," on the corner of Main and Grove streets in said town, for a term not exceeding ten years, the limit of the same to be fixed by a vote of the said town at its next annual town meeting.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 4, 1903.]

CHAPTER 254.

AN ACT TO INCORPORATE THE HAMPSTEAD AND HAVERHILL STREET RAIL-
WAY COMPANY.

SECTION

- 1. Corporation constituted; purposes and powers.
- 2. Capital stock.
- 3. How laid out in highways.
- 4. How laid out elsewhere.
- 5. Location of tracks.
- 6. Selectmen may make certain regulations.

SECTION

- 7. Rights reserved to towns.
- 8. Company to keep highways in repair.
- 9. Subject to general law.
- 10. Bonds not to be sold at less than par.
- 11. Restriction on sale of bonds, etc.
- 12. First meeting.
- 13. Takes effect on passage; void as to parts not built in two years.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That Isaac Randall, James W. Sanborn, Arthur M. Emerson, George R. Bennette, George Palmer, William A. Emerson of Hampstead, Orrin Randlett of Lowell, Mass., George A. Sawyer, Eugene E. Sawyer, Herbert N. Sawyer, George P. Dow, Herman Noyes of Atkinson, Edson E. Peaselee, Charles W. Cass, and John W. Sleeper of Plaistow their associates, successors and assigns, are hereby made a corporation by the name of Hampstead and Haverhill Street Railway Company, with power to construct, maintain and operate a railway with convenient branches, connections, sidings, poles, wires, turnouts and switches from some convenient point in the town of Hampstead in the northerly corner thereof and at the Derry and Hampstead town line, thence in and through the town of Hampstead, passing between Wash pond and Island pond, and through the town of Atkinson, to Atkinson depot, thence in and through the town of Plaistow, to some convenient point on the state line, and near the stone post marking the boundary line between the states of Massachusetts and New Hampshire, and following the most direct and feasible course between the said termini, and in said towns said street railway may be constructed upon and over such highways and lands as may be necessary; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power except steam, for the operation of said railway.

Corporation
constituted;
purposes and
powers.

SECT. 2. The capital stock of said corporation shall not exceed seventy-five thousand (\$75,000) dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power

Capital stock

for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time, shall be determined and issued in accordance with the provisions of the general laws.

How laid out
in highways.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the towns in which said portions of highways or streets may be. The selectmen of the respective towns, upon petition of the directors of said railway for a location of its tracks over or on any public highway upon the line of said route, shall give notice by publication to all parties interested, of the time and place at which they will consider said petition for location in the public highways of said respective towns, and after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon the petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of the town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How laid out
elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

SECT. 6. The selectmen of the respective towns through which said railway shall pass, may designate the quality and kind of material to be used in the construction of said railway within their said town, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their town, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their town.

Selectmen may make certain regulations.

SECT. 7. Said town, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Rights reserved to towns.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the town, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Company to keep highways in repair.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Subject to general law.

SECT. 10. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

Bonds not to be sold at less than par.

SECT. 11. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

Restrictions on sale of bonds, etc.

SECT. 12. Any three of the grantees may call the first meeting by publication, or by giving personal notice to the other grantees, at least ten days prior to the time of the meeting.

First meeting.

SECT. 13. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

Takes effect on passage; void as to parts not built in two years.

[Approved March 5, 1903.]

CHAPTER 255.

AN ACT AUTHORIZING THE TOWN OF LITTLETON TO ESTABLISH AND ACQUIRE A WATER AND ELECTRIC LIGHT PLANT.

SECTION

1. Water-works and electric plant authorized.
2. Right of eminent domain.
3. Assessment of damages.
4. Contracts for water supply authorized; board of commissioners created; terms of office; purchase or lease of property authorized.

SECTION

7. [5.] Expense, how defrayed.
8. [6.] Contracts and obligations of town valid.
9. [7.] May take or purchase certain property.
10. [8.] If town does not adopt act, powers to revert.
11. [9.] Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Water-works and electric plant authorized.

SECTION 1. The town of Littleton is authorized and empowered to construct, own, maintain, manage or lease suitable water-works and light apparatus, for the purpose of introducing into and distributing through said town an adequate supply of water for the extinguishment of fires, for the use of its inhabitants and for other purposes; also for lighting the streets and buildings in said town or village district, by electricity, and for such purposes may erect and maintain poles and extend wires in the streets and highways in said town or village district; and for the same purposes may take, purchase and hold, in fee simple, or otherwise, any real or personal estate and any rights therein necessary to carry into effect the purposes of this act, and to excavate and dig canals and ditches in any street, highway, or other place through which it may be deemed necessary and proper for building said water-works, to relay and repair the same at pleasure, having due regard for the safety of persons and property and the security of the public travel.

Right of eminent domain.

SECT. 2. Said town is authorized and empowered to enter upon, take and appropriate any stream, spring or pond, in the towns of Littleton, Lisbon, Lyman, Bethlehem, Franconia, Carroll, Whitefield or Dalton, not belonging to any aqueduct or water-works company to secure the same by fence, or otherwise, and dig ditches and canals, make excavations, build dams and reservoirs, through, over, in, or upon any land or enclosure in said towns, which may be necessary for said aqueduct to pass, or said excavations, dams, reservoirs, or water-works to be or exist, for the purpose of obtaining, holding, preserving or conducting such water and placing such pipes or other materials or works as may be necessary for building, operating or repairing the same. They are also authorized

and empowered to take and appropriate any land that may be necessary to protect any water supply that they may establish or acquire.

SECT. 3. In case the town or district shall not be able to agree with the owner of any property, or right taken for the purposes of this act, for the damages to be paid therefor, or in case the owner is unknown, either party may apply to the superior court for the county in which said property or right is situated, to have the same laid out and damages determined; and the court shall refer the same to three disinterested referees, to be selected and appointed by the judge of said court for that purpose, and said board of referees shall, as soon as may be thereafter, fix a time for hearing said parties and their witnesses and report their findings to the superior court, which shall issue its decree thereon, *provided however*, that if either party shall be dissatisfied with the award of said referees and shall at the first term after the coming in of the report file a notice to that effect and elect to have a trial by jury, such trial shall be had in the same manner as is provided upon the return of the assessment of damages by county commissioners in the laying of highways. *Provided, however*, that entry upon and taking of property, rights and estate, laid out and taken for the purpose of this act, shall not be postponed by reason of any failure of the parties to agree upon the compensation to be paid or by reason of proceedings being instituted by either party for the assessment of damages as provided in this act, by the said town or district, as the case may be, but said municipal corporation may enter upon, take and occupy such property, rights and estate by filing a bond to the satisfaction of the superior court or the clerk thereof conditioned on the payment of all damages that may be afterwards agreed upon or allowed in any case.

Assessment of damages.

SECT. 4. Said town is also authorized and empowered to contract with individuals and corporations for supplying them with water, lights or power, and to make such contracts and to establish such regulations for the use of water and lights as may from time to time be deemed proper; and for the more convenient and efficient management of said water and light works, the said town or district shall place them under a board of commissioners consisting of three persons, to be appointed by the selectmen of the town, if the town shall assume and exercise the powers herein given, or the commissioners of Littleton village district or said district shall assume the same, not more than two of the said commissioners to be of the same political party; *provided, however*, that of those first appointed, the term of one shall expire in one year, one in two years, and one in three years, and thereafter the commissioners shall be appointed for three years; *provided, further*, that the commissioners shall

Contracts authorized; board of commissioners created; terms of office; purchase or lease of property authorized.

annually organize their board by choosing one of their number to act as president and another to act as secretary for the ensuing year, and the secretary shall thereupon furnish to the clerk of the town, or the village district a certificate showing such organization, and the clerk shall record such certificate in the records of the town or village district. Any vacancy occurring in said board of commissioners shall be filled by the selectmen or village commissioners for the unexpired term. Said commissioners shall have full charge and control of the construction, management and maintenance of said light and water-works and the fixing of rates and the making of contracts for water and light, and may appoint a superintendent and a treasurer, who shall furnish a good and sufficient bond to the town or district, to secure the faithful performance of his duties, and other necessary officers, with such powers and duties as they may from time to time prescribe for them.

Said town is authorized, at any annual or special meeting, by a major vote of those present and voting, to construct, own, maintain, manage or lease water-works and an electric lighting plant, as herein provided; also to acquire, by purchase, the Crystal Springs Water Company of Bethlehem, N. H., its franchise and property, and to borrow or hire such sums of money, on the credit of the town or village district, as may from time to time be deemed necessary or advisable, for the purpose of defraying the expense of acquiring, constructing, maintaining and operating said water and electric light works, or said Crystal Springs Water Company, and to issue negotiable notes or bonds of the district therefor payable at such time or times and upon such terms and rates of interest as they may think proper.

Expense, how
defrayed.

SECT. 7. [5.] Said town is hereby authorized to raise by taxation, and pay in each year the interest of the notes and bonds so issued, and such part of the principal as the said town may determine, or to create a sinking fund to meet the bonds as they become due.

Contracts,
etc., valid.

SECT. 8. [6.] All contracts and obligations may be made and assumed by said town, for the purpose of acquiring any interest in any real estate or other property or rights, for the purposes and uses of the light and water-works authorized by this act, or for the purposes of adjusting any damages occasioned thereby, shall be valid and binding according to the terms thereof.

May take or
purchase cer-
tain property.

SECT. 9. [7.] Said town is hereby authorized to take or purchase the franchise and property of the Littleton Water & Electric Light Company, including its dynamos, batteries, wires, pipes, pumps, engines, boilers, mains, and all other machinery, tools, appliances and apparatus used in the manufacture, distribution and operation of said water and electric light works, and the lands, buildings and water rights connected therewith, and should said town or village district be unable to agree with

said Water & Light Company as to the price to be paid for their said property, then the same may be taken as is provided in section 3.

SECT. 10. [8.] In case the said town shall not elect by vote at a town meeting held within thirty days after the passage of this act to accept the powers herein granted to it, or in case it shall by vote within said period decline to accept the right to exercise said powers as herein granted, the Littleton village district shall have and exercise all said powers the same as if the same had been granted to it by special act of the general court.

If town does not adopt, powers revert.

SECT. 11. [9.] All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved March 5, 1903.]

CHAPTER 256.

AN ACT TO INCORPORATE THE MANCHESTER FIRE INSURANCE COMPANY OF NEW HAMPSHIRE.

SECTION

- 1. Corporation constituted; purposes.
- 2. Capital stock; property.
- 3. First meeting.

SECTION

- 4. By-laws.
- 5. Subject to repeal.
- 6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That William J. Hoyt, George E. Gould, Thomas R. Varick, Roger G. Sullivan, Harry P. Ray, Edward W. Harrington, John J. McGovern, Charles M. Floyd, William F. Harrington, Percival M. Robinson, W. Byron Stearns, Elmer W. Nutting, Perry H. Dow, and John A. Sheehan, all of Manchester in the county of Hillsborough and state of New Hampshire, and John P. Goggin, of Nashua, said county and state, and their associates, successors and assigns, be and they hereby are incorporated and made a body politic by the name of The Manchester Fire Insurance Company of New Hampshire, to be located at Manchester, in said state, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of making and effecting insurance against losses by fire, lightning and tornado.

Corporation constituted; purposes.

SECT. 2. Said corporation shall have a capital stock of fifty thousand dollars, divided into shares of one hundred dollars each, with liberty to increase the capital stock to two hundred

Capital stock; property.

and fifty thousand dollars; and may acquire and hold real estate, for its own use, to the value of twenty-five thousand dollars, exclusive of such real estate as may be taken for debt or may be held for collateral security. The majority of the directors shall be citizens of New Hampshire and no person shall be qualified as a director who does not hold, in his own right, one thousand dollars in par value of the capital stock.

First meeting. SECT. 3. Said Edward W. Harrington, Thomas R. Varick and John A. Sheehan may call the first meeting of the members of said corporation by a notice in writing or by an advertisement in some newspaper, fifteen days previous to such meeting.

By-laws. SECT. 4. The members of said corporation, at any meeting duly held may adopt such by-laws and regulations not repugnant to the laws of this state as shall be convenient and necessary for the proper management of the business and concerns of the corporation and the prosecution of fire, lightning and tornado insurance.

Subject to repeal. SECT. 5. The legislature may at any time alter, amend or repeal this act, if in their opinion the public good requires it.

Takes effect on passage. SECT. 6. This act shall take effect from and after its passage.

[Approved March 5, 1903.]

CHAPTER 257.

AN ACT IN AMENDMENT OF THE CHARTER OF THE EXETER GAS-LIGHT COMPANY.

SECTION

1. Name changed.
2. Former enactment repealed.

SECTION

3. Property; capital stock; powers.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. That the corporate name of The Exeter Gas Light Company, as established by an act of the legislature approved July 14, 1854, be and hereby is changed to The Exeter Gas, Electric Light & Power Company.

Former enactment repealed.

SECT. 2. That section 2 of the charter of said corporation as originally enacted and as amended by chapter 2294 of the Laws of 1859 be and hereby is repealed, and section 3 of this act substituted in place thereof.

SECT. 3. The said corporation is authorized to hold all such real and personal estate as may be necessary and proper to enable them to carry on the manufacture, distribution, and sale of gas for the purpose of lighting, heating, and all mechanical purposes, in the streets, factories, and all other buildings in the town of Exeter and to erect such buildings and works, and to construct such furnaces, reservoirs, gas holders, gas pipes and other things as may be requisite and proper for said purpose, *provided* the whole capital stock of said company shall not exceed the sum of \$100,000 which stock shall be divided into shares of \$50 each and *provided, however*, that the buildings and works for the manufacture of said gas shall not be located in the compact part of any village, unless the selectmen of said Exeter shall approve of such location, which approval shall be in writing, describing the place of location and shall be recorded in the office of the town clerk of said town.

Property;
capital stock;
powers.

And said corporation is hereby authorized and empowered to establish, manage, and carry on in said town of Exeter the business of generating, manufacturing, producing and supplying electricity for purposes of light, heat and mechanical power; and to convey, distribute, and supply such electricity by wires or other suitable means upon poles erected or by other over-ground means; or under ground in tubes, pipes and boxes, or other subterranean appliances, placed in the highways, streets, sewers, or other places; and to erect, build, maintain, and operate all suitable buildings, boilers, engines, electrical machines and works as may be necessary or convenient for conducting the business of the corporation and to purchase, lease, hold, and take all necessary real estate and rights for such business; also to lease and let lines of wire and other appliances for conveying electricity, and also all the rights said corporation may have under its charter, all to be in accordance with and subject to the laws of this state as now existing.

SECT. 4. This shall take effect upon its passage.

Takes effect
on passage.

[Approved March 5, 1903.]

CHAPTER 258.

AN ACT TO INCORPORATE THE DERRY SAVINGS BANK, OF DERRY.

SECTION

1. Corporation constituted.
2. Powers and duties.
3. May hold real estate.
4. Election of trustees, etc.

SECTION

5. Trustees, duties of.
6. Who may receive salaries.
7. Meetings of corporation.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted.

SECTION 1. That William S. Pillsbury, Frederick J. Shepard, Greenleaf K. Bartlett, William H. Jones, Harrison Alexander, Frank A. Hardy, Frederick M. Hodgdon, Charles Bartlett, George F. Priest, Volney H. Moody, Joseph B. Bartlett, Gilbert H. Hood, Arthur H. Wilcomb, William A. Emerson, George E. Seavey, their associates and successors, and such other duly elected members as in this act provided, be and they hereby are constituted a body politic and corporate by the name of the Derry Savings Bank, to be located at Derry, in our county of Rockingham, for the purpose of establishing and maintaining a mutual savings bank, and by the name and style aforesaid may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers, rights and privileges, and subject to all the duties and liabilities which by the laws of this state are or may be incident to corporations of a like nature.

Powers and
duties.

SECT. 2. Said corporation may receive from any person or persons, corporations or associations disposed to enjoy the advantages of said savings bank any deposit or deposits of money, not exceeding five thousand dollars from any one person, corporation or association, except when made for the purpose of creating a sinking fund subject to the by-laws of said savings bank, and may use manage and improve the same for the depositors in such manner as shall be convenient or necessary for the security and profitable investment thereof under the restrictions of the laws regulating the investment and management of such funds; and all deposits may be withdrawn, and the net income of the deposits divided, at such reasonable times and in such manner and proportions, and subject to such equitable rules and regulations, as said corporation shall prescribe, not repugnant to the laws of this state.

May hold real
estate.

SECT. 3. Said corporation may purchase, hold, and acquire, by foreclosure or mortgage or otherwise, such real estate as savings banks are permitted to hold under the general laws of this state.

SECT. 4. Said corporation, at its first meeting under this act, and at any annual meeting thereafter, shall have power to elect, by ballot and major vote of those present, other persons as members of this corporation, not exceeding fifty, including those who are at the time of such election members thereof. At the first meeting of said corporation, and at each subsequent annual meeting, there shall be chosen in the same manner from among the members, a clerk and a board of trustees, not exceeding fifteen in number, who shall hold their office until others are elected and qualified in their stead. The management of the business of said savings bank shall be committed to said trustees, under the restrictions of the by-laws of said corporation and the laws of this state. Any vacancy in the board of trustees may be filled at a special meeting of said corporation called for that purpose. Said corporation at its first meeting shall enact such by-laws for the government and management of its business as shall not be incompatible with the laws of the state, and may from time to time at the annual meetings, or at a special meeting called for that purpose, alter and amend the same; but no by-law or regulation shall take effect or be in force until the same shall have been approved by the bank commissioners. Said corporation shall at its first meeting adopt a common seal which may be changed and renewed at pleasure, and all deeds, conveyances, grants, covenants, and agreements made by the president of the bank, or any other person, acting under the authority of the board of trustees, shall be good and valid in law.

Election of trustees, etc.

SECT. 5. Said trustees shall qualify in the manner prescribed by law. They shall annually choose one of their number as president of said bank. They shall annually choose a treasurer and such other clerks, agents, and servants as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum.

Trustees, duties of.

SECT. 6. No member of the corporation shall receive any compensation for his services in said bank, nor derive any emolument therefrom; *provided however* that a reasonable compensation shall be paid to the officers of said bank, and others necessarily employed in transacting its business. No special deposits shall be received or special rates of interest allowed to any depositor.

Who may receive salaries.

SECT. 7. The first meeting of this corporation shall be called by any two of said incorporators within two years from the passage of this act by publishing a notice within one week of said meeting in the *Derry News* a newspaper published in said Derry; and all subsequent meetings of said corporation shall be notified by a like publication, signed by the president of said bank. Special meetings of the corporation may be called

Meetings of corporation.

at any time by the president of said bank or by any two of the trustees, but no business shall be transacted at a special meeting unless the subject thereof shall have been stated in the published notice.

Takes effect
on passage.

SECT. 8. This act shall take effect on its passage.

[Approved March 5, 1903.]

CHAPTER 259.

AN ACT TO INCORPORATE THE OSS�PEE WATER AND ELECTRIC COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. Meetings of corporation.
4. Property.
5. Right of eminent domain.
6. Powers of corporation.
7. Contracts authorized.

SECTION

8. Additional powers; assessment of damages.
9. May contract with town, etc.
10. Issue of bonds, etc.
11. First meeting.
12. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. That Jeremiah A. Farrington, George W. Bent, Lyford A. Merrow, Arthur L. Hodsdon, Charles A. White, Joseph W. Chamberlin, and their associates, successors and assigns, shall be and hereby are made a body politic and corporate by the name of the Ossipee Water and Electric Company, for the purpose of furnishing and distributing through the villages of Ossipee, by subterranean pipes an adequate supply of water, for the purpose of extinguishing fires, sprinkling streets, for the use of the citizens and for such other purposes as water may be required, in said villages, and for the purpose of lighting the streets and public and private buildings therein, and furnishing the power for mechanical and other purposes and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby invested with all the powers and privileges and made subject to all the liabilities incident to corporations of a similar nature.

Capital stock.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding on the whole the sum of twenty-five thousand dollars.

Meetings of
corporation.

SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places, and upon such notice, as may be provided by the by-laws of the corporation.

SECT. 4. Said corporation is empowered to purchase, and hold in fee simple or otherwise, any real and personal estate necessary and proper for carrying into effect the purposes of this act. Property.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, ponds or lands not belonging to any aqueduct company and to secure the same by fences or otherwise, dig ditches, make excavations and reservoirs through, over, in, or upon any land or enclosure in said town of Ossipee, through which it may be necessary for said pipes and said water to pass or said excavations, reservoirs and water-works to be, or exist, for the purpose of obtaining, holding, preserving or conducting said water and placing said pipes, other materials, or works as may be necessary for building and operating such water and electric works or repairing the same. Right of eminent domain.

SECT. 6. Said corporation shall have power and authority to manufacture, manage, operate and deal in meters, motors, machinery, and appliances connected with, incident to the use of, and convenient for producing, developing, measuring, and utilizing electricity and electrical agencies, for lighting, heating, and mechanical purposes, and to distribute electricity through said town of Ossipee. Powers of corporation.

SECT. 7. Said corporation shall have power to regulate the use of water and electricity distributed by it, to contract with individuals and corporations for the use of the same, and establish such tolls and charge such rents as shall be deemed reasonable. Contracts authorized.

SECT. 8. And in addition thereto said corporation for the purposes aforesaid may erect and maintain poles and extend wires over or under the streets and highways in said town and may erect, construct and maintain such machinery, dams, reservoirs, stand-pipes, buildings and other things as may be necessary for such water and electric light works, also dynamos, batteries, pumps, engines, boilers, mains and all other machinery, tools, and apparatus used in the manufacture, distribution and operation of said water and electric light works. All acts authorized by this and preceding section shall be subject to such regulations for the safety of citizens and others and security of public travel as may be prescribed by the selectmen of the town of Ossipee, *provided*, that if it shall be necessary to enter upon and appropriate any spring, pond, stream, or land for the purpose aforesaid, or to raise or lower the level of the same, and the said corporation shall not be able to agree with the owners thereof for the damages that may be done by said corporation, or the owners shall be unknown, either party may apply to the superior court for the county of Carroll to have the same laid out and damages determined, and said court shall refer the same to the county commissioners for said county who Additional powers; assessment of damages.

shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided for laying out highways; and said commissioners shall make report to said court, and said court may issue execution accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, he shall have a trial by jury under such regulations as the court may prescribe.

Applications under this section may be made, notice ordered; and returned, reports filed, and all hearings had, except jury trials, on any day or days during a session of said court in said county as the court may order.

May contract
with town,
etc.

SECT. 9. Said corporation may make any contract with said town of Ossipee or with any fire precinct or precincts which may be established in said town or with any person or corporation to furnish water, hydrants, and other means and apparatus for extinguishing fires, domestic, mechanical, and such other purposes as may be necessary and proper, and for lighting by electric lights; and said town, or any fire precinct hereafter organized in said town, is hereby authorized to contract with said corporation for the use of said water hydrants, or other apparatus for the proper uses of such town or precinct, and may raise and appropriate money therefor.

Issue of
bonds, etc.

SECT. 10. Said corporation may borrow money for the purposes named herein and issue its notes, bonds, or other obligations therefor, and secure the same by mortgage upon the said water-works, property, assets, and franchises of said corporation.

First meeting.

SECT. 11. Any two of the corporators herein named may call the first meeting of the corporation by giving a notice in writing to each of the corporators of the time and place of the meeting at least seven days before the day of meeting, or by leaving the same at his last and usual place of abode, or by publishing the same in some newspaper in the county; and at said meeting, or any adjourned meeting thereof, or any subsequent meeting, associates may be admitted, all proper officers chosen, the capital stock fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation.

Subject to
repeal;
takes effect
on passage.

SECT. 12. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect upon its passage.

[Approved March 7, 1903.]

CHAPTER 260.

AN ACT TO CHANGE THE NAME OF THE SOUTH CONGREGATIONAL SOCIETY IN NEWMARKET, NEW HAMPSHIRE, NOW LOCATED IN NEW-FIELDS, NEW HAMPSHIRE.

SECTION

1. Name changed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the "South Congregational Society in Newmarket, N. H." now located in Newfields, N. H. is hereby authorized to change its corporate name to the Congregational Society in Newfields. Name changed.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 7, 1903.]

CHAPTER 261.

AN ACT TO INCORPORATE THE FIRST FREE BAPTIST CHURCH OF FRANCONIA.

SECTION

1. Corporation constituted.
2. May acquire property.

SECTION

3. May adopt church principles.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That William J. B. Stanley, Ivory H. Glover, Dora E. Stanley, Frank P. Wormwood, Bert Glover and Lawrence B. Howard, their associates and successors, are hereby made a body politic and corporate by the name of the First Free Baptist Church of Franconia, and shall have and enjoy all the powers and privileges and be subject to all of the liabilities incident to corporations of a similar nature. Corporation constituted.

SECT. 2. Said corporation may acquire by purchase or otherwise real and personal estate, may receive and hold gifts, donations or bequests, given for the use of this church. May acquire property.

SECT. 3. Said corporation may adopt the principles and rules of this church for the government of its proceedings and the management of its affairs so far as they are consistent with the laws of the state. May adopt church principles.

SECT. 4. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 7, 1903.]

CHAPTER 262.

AN ACT IN AMENDMENT OF CHAPTER 215, LAWS 1895, ENTITLED “ AN ACT TO CONFIRM THE ORGANIZATION OF THE ANDROSCOGGIN HOSPITAL ASSOCIATION.”

SECTION	SECTION
1. Charter amended.	2. Takes effect on passage; exemption.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter amended.

SECTION 1. Amend section 1 of said act by inserting after the word “ hospital ” in the sixth line the words, and training school for nurses, and insert after the word “ Berlin ” in the seventh line the words, and in such other towns in, and after the words “ New Hampshire ” in said seventh line the words, as the corporation may desire, so that said section as amended shall read: SECTION 1. The Androscoggin Hospital Association, a corporation constituted and organized under chapter 147 of the Public Statutes of New Hampshire, is hereby continued a corporation duly organized, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of maintaining a hospital and training school for nurses for the sick and disabled in the town of Berlin and in such other towns in New Hampshire as the corporation may desire, and shall have authority to make contracts for furnishing medical treatment, care, and nursing, and receive compensation therefor, in accordance with its by-laws.

Takes effect on passage; exemption.

SECT. 2. This act shall take effect upon its passage, and shall not be subject to section 5 of chapter 14, Public Statutes of New Hampshire.

[Approved March 7, 1903.]

CHAPTER 263.

AN ACT SEVERING THE HOMESTEAD FARM OF HIRAM S. STEVENS FROM THE SCHOOL DISTRICT OF THE TOWN OF MIDDLETON, AND ANNEXING THE SAME TO THE TOWN OF WAKEFIELD FOR SCHOOL PURPOSES.

SECTION

1. Homestead severed and annexed.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the homestead farm of Hiram S. Stevens be severed from the town of Middleton, and be annexed to the school district of the town of Wakefield, for school purposes.

Homestead
severed and
annexed.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 7, 1903.]

CHAPTER 264.

AN ACT TO RATIFY THE DOINGS OF THE TOWN OF NORTHUMBERLAND IN PURCHASING THE STOCK OF THE NORTHUMBERLAND WATER COMPANY.

SECTION

1. Acts ratified.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The acts and doings of the town of Northumberland, in town meetings heretofore held, and by its officers and agents, concerning the purchase of the capital stock of the Northumberland Water Company are hereby ratified and confirmed; and said town is hereby authorized to retire said stock, and hold and maintain the property and franchises of said company, without keeping up the organization of said Northumberland Water Company.

Acts ratified.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 7, 1903.]

CHAPTER 265.

AN ACT TO LEGALIZE THE WARRANT FOR THE TOWN MEETING TO BE HELD IN THE TOWN OF FRANCONIA ON THE SECOND TUESDAY OF MARCH, 1903.

SECTION 1. Warrant legalized.

Be it enacted by the Senate and House of Representatives in General Court convened:

Warrant
legalized.

SECTION 1. That the warrant for the town meeting to be held in the town of Franconia on the second Tuesday of March 1903 be, and the same hereby is, ratified, confirmed, approved and legalized.

[Approved March 7, 1903.]

CHAPTER 266.

AN ACT TO PERMIT THE TOWN OF GORHAM TO EXEMPT CERTAIN PROPERTY FROM TAXATION.

SECTION
1. Exemption authorized.

SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption
authorized.

SECTION 1. The town of Gorham is hereby authorized, at any legal meeting, to exempt from taxation the Mount Madison hotel property for a term not exceeding ten years.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 7, 1903.]

CHAPTER 267.

AN ACT TO CHANGE THE NAME OF THE GORHAM FIVE CENTS SAVINGS BANK.

SECTION	SECTION
1. Name changed.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the name of the Gorham Five Cents Savings Bank, of Gorham, is hereby changed so that said bank shall hereafter be known and transact its business under the name of the Gorham Savings Bank. Name changed.

SECT. 2. This act shall take effect from and after its passage. Takes effect on passage.

[Approved March 7, 1903.]

CHAPTER 268.

AN ACT TO INCORPORATE THE GOFF'S FALLS, LITCHFIELD AND HUDSON STREET RAILWAY COMPANY.

SECTION	SECTION
1. Corporation constituted; purposes.	8. Company to keep highways in repair.
2. Capital stock.	9. Subject to general law.
3. How laid out in highways.	10. Bonds not to be sold at less than par.
4. How laid out elsewhere.	11. Restrictions on sale of bonds, etc.
5. Location of tracks.	12. First meeting.
6. Selectmen may make certain regulations.	13. Takes effect on passage; void as to parts not built in two years.
7. Rights reserved to towns.	

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Isaac N. Center, Daniel M. McQuesten, George W. Clyde, Arthur S. Campbell, John W. Center, Byron E. Moore, Samuel J. Corning, George M. Reid, Norris C. Griffin, Charles H. Chase, James McQuesten, Fred McQuesten, Frederick S. Center, Amos Saunders, John W. Goodspeed, George B. Boyden, William Stearns, Luke Hall, Josiah K. Wheeler, Charles W. Spalding, Kimball Webster, John J. Baker, and Philip J. Connell their associates, successors and assigns, are hereby made a corporation by the name of the Goff's Falls, Litchfield and Hudson Street Railway Company, with power to construct, maintain, and operate a railway with Corporation constituted; purposes.

convenient sidings, turnouts, and switches. Commencing in that part of the city of Manchester known as Goff's Falls, on the River road leading from Manchester to Litchfield, at a point nearly opposite the brick school in said Goff's Falls and at an iron pin set in the ground near the foot of a pole of the Postal Telegraph Cable Company marked $12^0 15'$; thence southerly through said Manchester and the towns of Londonderry, Litchfield and Hudson over and upon such highways and lands as may be necessary for the public accommodation in said Manchester and in said towns to the Old Derry road opposite the dwelling of J. K. Wheeler in said Hudson; thence easterly and southerly over and upon said Old Derry road and the Derry road so called, to Main street in said Hudson; thence over and upon said Main street to its intersection with Central street in said Hudson, near the Merrimack river bridge in said Hudson, with the right to extend said company's tracks northerly in said Manchester to connect with the tracks of the Manchester Street Railway, at the present terminus of its tracks in Goff's Falls, and southerly in said Hudson to connect with the tracks of the Hudson, Pelham and Salem Electric Railway Company and with the tracks of the Nashua Street Railway Company, and the electric cars of each of the above named corporations and the electric cars of the said Goff's Falls, Litchfield and Hudson Street Railway Company may be run over the electric lines of the other upon such terms and conditions as may be agreed upon by the parties. And said Goff's Falls, Litchfield and Hudson Street Railway Company may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway, or may contract with any other corporation for such motive power for the operation of said railway as may be found necessary and make physical connection therefor.

Capital stock. SECT. 2. The capital stock of said corporation shall not exceed two hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time, shall be determined and issued in accordance with the provisions of the general laws.

How laid out in highways. SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town or towns or the board of mayor and aldermen of the city or cities in which said portions of highways or

streets may be. The selectmen of the towns, or mayor and aldermen of cities, respectively, upon petition of the directors of said railway for a location of its tracks over or on any public highway upon the line of said route, shall give notice by publication to all parties interested, of the time and place at which they will consider said petition for location in the public highways of said town or towns, city or cities, and after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon the petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, boards of mayor and aldermen, of their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the city or town, as such board may deem just. The boards of mayor and aldermen of cities and selectmen of towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

How laid out elsewhere.

SECT. 5. The selectmen of the towns and the board of mayor and aldermen of cities through which said railway shall pass shall, within their respective towns or cities, have exclusive and final jurisdiction to locate the tracks, side tracks, turn-outs, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Location of tracks.

SECT. 6. The boards of mayor and aldermen of cities and the selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their

Selectmen may make certain regulations.

said towns or cities, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns or cities, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns or cities.

Rights reserved to towns.

SECT. 7. Said towns and cities, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to keep highways in repair.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns or cities, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Bonds not to be sold at less than par.

SECT. 10. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

Restrictions on sale of bonds, etc.

SECT. 11. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

First meeting.

SECT. 12. Any three of the grantees may call the first meeting by publication, or by giving personal notice to the other grantees, at least ten days prior to the time of meeting.

Takes effect on passage; void as to parts not built in two years.

SECT. 13. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 7, 1903.]

CHAPTER 269.

AN ACT TO ENABLE THE TOWN OF GREENVILLE TO ACQUIRE, OWN, AND
OPERATE AN ELECTRIC POWER AND LIGHTING PLANT.

SECTION

1. Construction or purchase authorized.
2. Lighting commissioners; powers and duties.

SECTION

3. Compensation of commissioners; vacancies, how filled; annual report.
4. Appropriations for plant, etc.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That the town of Greenville in the county of Hillsborough be and hereby is authorized, for the purpose of supplying electricity for lighting its streets and public buildings and for domestic uses in said Greenville and adjoining towns, to build or acquire by purchase an electric light and power plant and to operate the same for purposes above stated, and may erect and maintain poles and extend wires above or under the streets in said town, and may take, purchase, and hold in fee simple or otherwise any real or personal estate and any rights therein necessary for carrying into effect the purposes of this act; and may purchase, erect, construct, and maintain such machinery, dams, reservoirs, buildings, and other things as may be necessary for said electric light works, and to excavate and dig ditches in any highway, place, square, passway, or common, or other place, through which it may be deemed necessary and proper to construct said electric light works, and to relay, change and repair the same at pleasure, having due regard for the safety of its citizens and the public travel, and make any contracts or arrangements necessary for carrying into effect the purposes of this act.

Construction
or purchase
authorized.

SECT. 2. For the more convenient management of said electric plant, the said town may place the construction, management, control, and direction thereof in a board of lighting commissioners, to consist of three citizens of the town, said commissioners to be vested with such powers and duties relating to the construction, control, and management of the same as may from time to time be prescribed by said town. Their term of office shall be for three years and until their successors are elected and qualified. The first board of commissioners may be chosen by the legal voters of the town at the next or any subsequent annual meeting, or at any special meeting duly called for that purpose, and their successors shall be elected at each annual meeting thereafter; *provided, however*, that of those first elected, the term of one shall expire at the first annual meeting after the first board is elected, one at the second

Lighting com-
missioners;
powers and
duties.

annual meeting held thereafterwards, and one at the third annual meeting held thereafterwards, and after the first election one shall be elected for three years at each annual meeting, to fill the occurring vacancy; *provided, also*, that the term of service of the commissioners first elected shall be designated at the time of their election. Said commissioners may be appointed by the selectmen of said town if the town shall fail to elect, or if the town at any annual meeting vote to authorize and instruct the selectmen to make the appointment.

Compensation
of commis-
sioners; va-
cancies, how
filled; annual
report.

SECT. 3. The compensation of such commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board, and another member as clerk of their board, who shall keep a proper record of their doings. Said board shall appoint a superintendent of the plant, and such other officers and agents as they may deem necessary; and they shall furnish the town clerk certificate of their organization and appointments, and the town clerk shall record the same in the records of the town. The commissioners shall fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur in said board from any cause, the remaining members of the board shall certify that fact to the selectmen of the town, who shall fill such vacancy temporarily by appointing a citizen of said town in writing, which appointment shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the time other town officers report, of the condition of the lighting, heat, and power plant, financially and otherwise, showing the income from said plant, the funds belonging to their department, the expenses of maintenance and cost of plant and operating expenses, and such other facts and information as the town should have, which report shall be published each year in the annual report of said town.

Appropriations for plant,
etc.

SECT. 4. Said town is also authorized and empowered at any annual meeting, by a two-thirds vote of those present and voting, to raise by taxation and appropriate, or to borrow or hire such sums of money on the credit of the town as may be deemed necessary and expedient for the purpose of defraying the expenses of purchasing real estate, rights in real estate, water rights, power and all other rights and property as aforesaid, and for purchasing, constructing, maintaining, repairing,

and extending, enlarging, and operating said electric lighting, heat, or power plant, the indebtedness created under the provisions of this section not to exceed ten thousand dollars, and to issue notes or bonds of the town therefor in such amounts and denominations as may be thought proper, not exceeding in all the amount above stated.

SECT. 5. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 7, 1903.]

CHAPTER 270.

AN ACT AMENDING THE CHARTER OF THE NASHUA LIGHT, HEAT AND POWER COMPANY.

- SECTION
- 1. Extension of charter.
 - 2. Capital stock not increased.

- SECTION
- 3. Takes effect when.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. All the powers and privileges now possessed under the acts of incorporation and amendments thereto by said Nashua Light, Heat and Power Company in the city of Nashua are hereby extended in and throughout the town of Hudson, in the county of Hillsborough, subject to the consent and supervision of the selectmen of said town as said corporation is now subject to the consent and supervision of the proper authorities in the said city of Nashua.

Extension of
charter.

SECT. 2. This amendment shall not be construed to increase the capital stock of said corporation as now established by law.

Capital stock
not increased.

SECT. 3. This act shall be submitted for acceptance to the voters of said town at the next town election, that the same may be legally submitted, and if accepted by a majority of those voting thereon at such election it shall thereupon take full effect.

Takes effect
when.

[Approved March 7, 1903.]

CHAPTER 271.

AN ACT TO INCORPORATE THE OMICRON DEUTERON CHARGE OF THE
THETA DELTA CHI FRATERNITY.

SECTION

1. Corporation constituted; purposes.
2. Property.
3. First meeting.

SECTION

4. Takes effect on passage.
5. Subject to repeal.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Corporation
constituted;
purposes.

SECTION 1. That Charles D. Adams, and Herbert D. Foster, of Hanover, N. H.; Sumner Wallace and Leslie P. Snow of Rochester, N. H.; Jay B. Benton of Boston, James W. Putnam of Lyons, N. Y.; J. Frank Drake, of Pittsfield, N. H.; Charles R. Miller of New York City, N. Y.; Seth P. Smith of Boston, Mass.; Nathan H. Barrows of Montpelier, Vt.; Francis Gale of Waterville, Me.; and Frank W. Wentworth of Chelsea, Mass., their associates, successors, and assigns are hereby incorporated and made a body politic and corporate by the name of The Omicron Deuteron Charge of the Theta Delta Chi Fraternity for the establishment and maintenance of a fraternal association, for the promotion of education in the arts and sciences and for social recreation and amusement, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have and exercise all the rights, powers, and privileges, and be subject to all liabilities incident by law to corporations of a similar nature.

Property.

SECT. 2. Said corporation is hereby authorized to erect and maintain such buildings and appurtenances as may be necessary and suitable for the use and occupation of said fraternity and its members at Hanover in this state, and for that purpose may take, hold, and own real and personal estate by purchase, gift, grant, or otherwise to an amount not exceeding thirty thousand dollars (\$30,000) and may sell, convey, and dispose of the same at pleasure.

First meeting.

SECT. 3. Any two of said grantees may call the first meeting of said corporation by giving notice to each of the grantees named of the time and place of said meeting, at which meeting or some subsequent meeting, said corporation may adopt and thereafter change or alter a constitution, rules, and by-laws for the government of its affairs, not inconsistent with the laws of the state; and elect or provide for the election of such officers and managers or agents as they may deem advisable, and prescribe their powers and duties.

Takes effect
on passage.
Subject to
repeal.

SECT. 4. This act shall take effect upon its passage.

SECT. 5. The legislature may alter, amend, or repeal this act whenever in their opinion the public good may require.

[Approved March 13, 1903.]

CHAPTER 272.

AN ACT TO INCORPORATE THE JACKSON WATER-WORKS COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. Right of eminent domain; assessment of damages.

SECTION

4. First meeting.
5. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Charles W. Gray, Arthur C. Gray, and Frank M. Gray, all of Jackson, Alvah W. Burnell of Bartlett, and Walter R. Burnell of Conway, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Jackson Water-Works Company, for the purpose of bringing water in subterranean pipes into the village of Jackson, for domestic use and the extinguishment of fires, and for other purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and subject to all the liabilities incident to corporations of a similar nature.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding in the whole the sum of twenty-five thousand dollars. It may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid; and it may issue bonds and other obligations secured by a mortgage of its property, assets, and franchises to carry out the purposes for which it is created.

SECT. 3. Said corporation is authorized to enter upon and appropriate any streams, brooks, or springs in said Jackson, not belonging to any aqueduct or water company, and to secure the same by fences or otherwise, and erect, construct, and maintain such dams, reservoirs, and buildings as may be necessary for such water-works and aqueducts, and may dig ditches, make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for the pipes or water to pass, and as may be necessary for operating and maintaining said aqueduct and water-works, or repairing the same; *provided*, if it shall be necessary to enter upon and appropriate any streams, springs, or brooks, or any land, for the purpose aforesaid, or to raise or lower the level of the same, and if said corporation shall not agree with the owners thereof for the damage that may be done by said corporation, or such owner

Corporation constituted; purposes.

Capital stock.

Right of eminent domain; assessment of damages.

shall be unknown, said corporation may apply to the trial term of the superior court for the county of Carroll to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners of said county, who shall proceed in the same manner as is now provided by law for laying out highways, lay out the same, determine the damages, and report to said court, and said court may issue execution accordingly.

First meeting.

SECT. 4. Any two of the corporators named in this act may call the first meeting by ten days' notice in writing to each of the corporators of the time and place of such meeting. At said meeting, or any subsequent one, associates may be elected, and such by-laws and regulations adopted as may be necessary to carry into effect the provisions of this act.

Takes effect
on passage;
subject to
repeal.

SECT. 5. This act shall take effect upon its passage and the legislature may alter, amend, or repeal the same whenever the public good requires.

[Approved March 13, 1903.]

CHAPTER 273.

AN ACT TO AUTHORIZE THE HUDSON, PELHAM AND SALEM ELECTRIC RAILWAY COMPANY TO TAKE LEASES OF THE RAILWAY AND PROPERTY OF THE HAVERHILL & SOUTHERN NEW HAMPSHIRE STREET RAILWAY COMPANY, THE LAWRENCE & METHUEN STREET RAILWAY COMPANY, AND THE LOWELL & PELHAM STREET RAILWAY COMPANY.

SECTION

1. Authority granted.
2. Lease to be approved by railroad commissioners; rights of dissenting shareholders.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority
granted.

SECTION 1. The Hudson, Pelham & Salem Electric Railway Company, a corporation duly incorporated by an act of the legislature approved March 7, 1899, as amended and extended, owning and operating a railroad in the state of New Hampshire between Nashua, in the state of New Hampshire, and the state line, connecting with the Haverhill & Southern New Hampshire Street Railway Company, the Lawrence & Methuen Street Railway Company, and the Lowell & Pelham Street

Railway Company, and running to Canobie lake, is hereby authorized and empowered to take a lease of all the railway property rights, privileges, easements and franchises of the Haverhill & Southern New Hampshire Street Railway Company, the Lawrence & Methuen Street Railway Company, and the Lowell & Pelham Street Railway Company, bodies corporate established under the laws of the commonwealth of Massachusetts, for such lengths of time and upon such terms as may be agreed to by the respective corporations at meetings of their respective stockholders, properly notified and held for the purpose, by two-thirds vote of all the stock represented and voting at such meetings.

SECT. 2. No lease executed under the authority of this act shall be valid or binding until the terms thereof have been approved by the board of railroad commissioners; and should there be dissenting stockholders, the value of the stock of such dissenting stockholders may be determined as provided in the Public Statutes of this state, chapter 156, and the provisions of said chapter shall apply to the taking of said stock as in the case of railroads.

Lease to be approved by railroad commissioners; rights of dissenting shareholders.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 13, 1903.]

CHAPTER 274.

AN ACT AMENDING THE CHARTER OF THE NEWMARKET ELECTRIC LIGHT, POWER AND HEAT COMPANY.

SECTION

1. Charter extended.

SECTION

2. Increase of capital authorized.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Newmarket Electric Light, Power and Heat Company, a corporation empowered to establish, manage and carry on business in Newmarket, Durham, Lee and Epping is hereby authorized and empowered to carry on its business in the town of Brentwood.

Charter extended.

SECT. 2. The said corporation is hereby authorized to increase its capital stock to a sum not exceeding one hundred and fifty thousand dollars. It may acquire and hold real and personal estate not exceeding said amount. It may issue bonds and other obligations for the accomplishment of any of the purposes for which it was incorporated at such rates and at such

Increase of capital authorized.

times and in such amounts as the stockholders may authorize *providing* such bonds and obligations shall not be issued in amounts exceeding the capital stock actually paid in, and it may secure payment of such bonds and obligations both principal and interest by a mortgage on its property and franchises.

[Approved March 13, 1903.]

CHAPTER 275.

AN ACT AUTHORIZING THE MOUNT PLEASANT HOTEL COMPANY TO INCREASE ITS CAPITAL STOCK.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority
granted.

SECTION 1. The Mount Pleasant Hotel Company is hereby authorized to increase its capital stock from its present capitalization of one million dollars, to one million five hundred thousand dollars.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 13, 1903.]

CHAPTER 276.

AN ACT AUTHORIZING THE CITY OF NASHUA TO ISSUE BONDS AND EXEMPT THE SAME FROM TAXATION.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority
granted.

SECTION 1. The city of Nashua is hereby authorized to issue its bonds to the extent of one hundred and twenty thousand dollars (\$120,000) at a rate of interest to be fixed by the city councils of said city, not exceeding four per centum per annum, payable at such times and in such amounts as said councils may determine. The proceeds resulting from the sale of such bonds

shall be used as follows, to wit: Sixty thousand dollars (\$60,000) thereof shall be used and applied in the payment of an equal amount of bonds which shall fall due and be payable July 1, A. D. 1903, and August 1, A. D. 1904; and the balance of said full sum, to wit, sixty thousand dollars (\$60,000) shall be used and applied to the erection, building, completion and furnishing of a high school building or in the changing over, alteration or repairs of any existing building, and the completion and furnishing thereof for high school purposes; that said city shall exempt from taxation any and all bonds so issued, *provided* that the rate of interest to be paid thereon shall not exceed three per centum per annum, and *provided further* that such exemption from taxation shall apply only to such bonds as are owned and held by residents of said city of Nashua.

SECT. 2. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 13, 1903.]

CHAPTER 277.

AN ACT RATIFYING VOTES OF THE TOWN OF LITTLETON PASSED AT ITS
TOWN MEETING HELD ON THE TENTH DAY OF MARCH, 1903.

SECTION

1. Votes ratified.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The votes of the town of Littleton passed at its town meeting held on the tenth day of March, 1903, accepting the act entitled "An act authorizing the town of Littleton to establish and acquire a water and electric light plant," approved March 7, 1903, voting to procure a water and electric light plant and authorizing the issue of bonds therefor are hereby confirmed and the said bonds may be issued accordingly.

Votes ratified.

SECT. 2. This act shall take effect on its passage.

Takes effect
on passage.

[Approved March 13, 1903.]

CHAPTER 278.

AN ACT TO LEGALIZE THE ANNUAL SCHOOL MEETING OF THE TOWN SCHOOL DISTRICT IN THE TOWN OF FRANCONIA IN THE YEAR 1902, AND TO LEGALIZE THE ACTS OF SAID DISTRICT AT THAT MEETING AND THE SUBSEQUENT ACTS AND PROCEEDINGS OF THE DISTRICT OFFICERS ELECTED AT SAID MEETING.

SECTION

1. Proceedings legalized.

SECTION

2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Proceedings
legalized.

SECTION 1. The acts and proceedings of the town school district in the town of Franconia at the annual school meeting held on the eleventh day of March, 1902, and all the acts and proceedings of the officers chosen at said meeting as district officers are hereby legalized, made valid and confirmed, notwithstanding any delay or neglect of the said district, the voters thereof or the officers of said district in proceeding with or conduct of the public business at or before said meeting.

Repealing
clause; act
takes effect
on passage.

SECT. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 13, 1903.]

CHAPTER 279.

AN ACT TO INCORPORATE THE PITTSFIELD LIGHT & POWER COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. May deal in electric appliances.
4. May distribute electricity.
5. May hold real estate.
6. Location of wires, poles, etc.

SECTION

7. Right of eminent domain; assessment of damages.
8. First meeting.
9. Subject to repeal; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. Frank D. Hutchins, John A. Walker, Jr., George H. Colbath, Frank O. George and Charles F. Ayers of Pittsfield in the county of Merrimack, their successors and assigns, are hereby made a body corporate by the name of the

Pittsfield Light & Power Company for the purpose of generating, manufacturing and supplying electricity for light, heat and mechanical power, and furnishing the same in the town of Pittsfield, with the authority, powers and privileges, and subject to the liabilities incident to corporations of a similar nature.

SECT. 2. The capital stock of said corporation shall consist of such number of shares of one hundred dollars each as may from time to time be determined by the directors, not exceeding in the whole the sum of fifty thousand dollars. It may acquire and hold real and personal estate necessary and convenient for carrying out the provisions of this act, and it may issue bonds and other obligations, secured by a mortgage of its franchise and other property, to carry out the purposes for which it is created, in amount not exceeding one half of its capital stock.

Capital stock.

SECT. 3. Said corporation shall have power and authority to manufacture, manage, operate, and deal in meters, motors, machinery, and appliances connected with, incident to the use of, and convenient for producing, developing, measuring, and utilizing electricity and electrical agencies for lighting, heating, and mechanical purposes.

May deal in electric appliances.

SECT. 4. Said corporation shall have power and authority to distribute electricity through said town of Pittsfield, may regulate the use of same, and fix and collect rents to be paid for the same. Said town is hereby authorized to contract by vote of said town with said corporation for electricity for public uses on such terms as the parties may agree, and to raise money therefor in the same manner as other town charges.

May distribute electricity.

SECT. 5. Said corporation shall have power and authority to take and hold by purchase any real estate necessary or convenient for carrying out the purposes for which this corporation is created.

May hold real estate.

SECT. 6. Said corporation may erect poles and place wires for the transmission of electricity, or may lay the same in subterranean pipes, through or over the land of any persons or corporations, and under any railroad or private way, and having first obtained the permission of the municipal officers of said town, and under such restrictions and regulations as they may prescribe, along the streets and ways of said town; and it may enter upon and dig up any such real estate, street, or way for the purposes aforesaid.

Location of wires.

SECT. 7. Said corporation shall pay all damages sustained by any person or corporation by the taking of any land, right of way, or easement, or by any other thing done by said corporation under the authority of this act; *provided*, that if it shall be necessary to enter upon and appropriate any private property or easement therein, and said corporation shall not agree with the owners thereof on the damage that may be done by said corporation, or such owners shall be unknown, either party may apply to the superior court, at a trial term in the

Right of eminent domain; assessment of damages.

county of Merrimack, to have the same laid out and damages determined; and the said court shall refer the same to the county commissioners, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and said commissioners shall make a report to said court, and they may issue execution accordingly. If either party shall desire, upon application to said court before such reference, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

First meeting. SECT. 8. Any person named in this act may call the first meeting of the corporation by personal notice to all the grantees or by posting notice in two or more public places in said town at least twelve days before such meeting; at which meeting or any other meeting duly holden, associates may be elected, by-laws adopted, and a president, clerk, and other officers and such agents as may be deemed necessary may be chosen.

Subject to repeal; repealing clause; act takes effect on passage. SECT. 9. The legislature may alter, amend, or repeal this act whenever the public good may require the same; and all acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 17, 1903.]

CHAPTER 280.

AN ACT TO AMEND THE CHARTER OF THE NEWPORT & GEORGE'S MILLS
ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Time for
building
extended.

SECTION 1. The time fixed in the charter of the Newport & George's Mills Electric Railway Company, approved March 14, 1901, is hereby extended to March 14, 1905, and said corporation shall have such additional time in which to build its road.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 17, 1903.]

CHAPTER 281.

AN ACT TO LEGALIZE AND RATIFY THE VOTES AND PROCEEDINGS AT THE ANNUAL MEETING IN NEWTON, HOLDEN ON THE TENTH DAY OF MARCH, 1903.

SECTION	SECTION
1. Votes and proceedings legalized.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the votes and proceedings at the annual meeting in the town of Newton, held in said town on the tenth day of March 1903, are hereby legalized and ratified.

Votes and proceedings legalized.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 18, 1903.]

CHAPTER 282.

AN ACT ENABLING THE CITY OF CONCORD TO APPROPRIATE MONEY FOR OBSERVING MEMORIAL DAY.

SECTION	SECTION
1. Appropriation authorized.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The city of Concord is hereby empowered to appropriate, for the purpose of defraying the expense of a proper observance of Memorial Day sums of money not exceeding five hundred dollars annually.

Appropriation authorized.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 20, 1903.]

CHAPTER 283.

AN ACT TO INCORPORATE THE PRUDENTIAL FIRE INSURANCE COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock; qualifications of directors.
3. First meeting.

SECTION

4. By-laws.
5. Taxation.
6. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. J. Frank Seavey, Arthur G. Whittemore, Thomas H. Dearborn, W. H. C. Follansby, and G. D. Barrett, their associates, successors, and assigns, be and are hereby incorporated and made a body politic by the name of the Prudential Fire Insurance Company, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of making and effecting insurance against losses by fire and lightning.

Capital stock; qualifications of directors.

SECT. 2. Said corporation shall have a capital stock of twenty-five thousand dollars, divided into shares of fifty dollars each, with liberty to increase the sum to not exceeding two hundred thousand dollars. The principal office of the company shall be in Dover, New Hampshire; and the majority of the directors shall be citizens of New Hampshire; and no person shall be qualified as a director who does not hold, in his own right, one thousand dollars in par value of the capital stock.

First meeting.

SECT. 3. Any two of said grantees may call the first meeting of the members of said corporation by giving notice thereof in some newspaper published in Dover at least ten days before the day named for said meeting.

By-laws.

SECT. 4. Said corporation at any meeting duly held may adopt such by-laws and regulations, not repugnant to the laws of this state, as shall be required for the proper management of its business.

Taxation.

SECT. 5. This corporation shall be taxed in manner provided by law for the taxation of other insurance companies.

Subject to repeal; takes effect on passage.

SECT. 6. The legislature may at any time alter, amend, or repeal this act, which shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 284.

AN ACT TO INCORPORATE THE MAYNESBORO FIRE INSURANCE COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. First meeting.

SECTION

4. By-laws.
5. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Jesse F. Libbey, Joseph H. Wight, Quincy A. Bridges, Herbert I. Goss, Albert H. Eastman, John D. Lary, and J. A. Vaillancourt, their associates successors and assigns be and they hereby are incorporated and made a body politic by the name of The Maynesboro Fire Insurance Company with authority to have and exercise all the powers and privileges incident to corporations of a similar nature for the purpose of making and effecting insurance against losses by fire.

SECT. 2. Said corporation shall have a capital stock of fifty thousand dollars divided into shares of one hundred dollars each with liberty to increase the capital stock to two hundred thousand dollars; and may acquire and hold real estate for its own use to the value of twenty-five thousand dollars, exclusive of such real estate as may be taken for debt or may be held for collateral security. The principal office of the company shall be in Berlin, N. H. The majority of the directors shall be citizens of New Hampshire and no person shall be qualified as a director who does not hold, in his own right, one thousand dollars in par value of the capital stock.

SECT. 3. Any two of the incorporators herein named may call the first meeting of the members of said corporation by advertisement in some newspaper printed in Berlin N. H. giving fifteen days' previous notice.

SECT. 4. Said corporation at any meeting duly held may adopt such by-laws and regulations not repugnant to the laws of this state as shall be convenient or necessary for the proper management of the business and concerns of the corporation and the prosecution of fire insurance.

SECT. 5. The legislature may at any time alter amend or repeal this act if in their opinion the public good requires it; and this act shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 285.

AN ACT TO AUTHORIZE THE DOVER & ELIOT STREET RAILWAY, AND THE ELIOT BRIDGE COMPANY, TO TRANSFER THEIR PROPERTIES AND FRANCHISES TO THE BERWICK, ELIOT & YORK STREET RAILWAY.

SECTION

1. Transfer authorized.
2. Designation of agent to accept service.
3. Pending suits, how prosecuted.
4. Existing debts and obligations.

SECTION

5. Increase of capital not authorized.
6. Certain changes authorized.
7. Lessee subject to law of this state.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Transfer authorized.

SECTION 1. The Dover & Eliot Street Railway, a street railroad corporation organized under the general laws of this state, and the Eliot Bridge Company, a corporation organized under chapter 150 of the Session Laws of 1878, are hereby authorized to sell or lease their properties, capital stocks, rights, privileges, immunities and franchises to the Berwick, Eliot & York Street Railway, a corporation organized under the laws of Maine, upon such terms as may be agreed upon, and as may be approved by the railroad commissioners of this state; and upon such purchase or lease the said Berwick, Eliot & York Street Railway shall, subject to the provisions of this act, have, hold, possess, exercise and enjoy all the locations, powers, privileges, rights, immunities, franchises, property and assets, which at the time of such transfers shall then be had, held, possessed or enjoyed by the corporations so selling or leasing, or either of them, and shall be subject to all the duties, restrictions and liabilities to which they or either of them shall then be subject by reason of any charter, contract or general or special law or otherwise. Prior to such sale or lease by the Dover & Eliot Street Railway, the Eliot Bridge Company is authorized to sell or lease its property and franchises to the said Dover & Eliot Street Railway.

Designation of agent to accept service.

SECT. 2. No such sale or lease shall be valid unless the said Berwick, Eliot & York Street Railway shall file in the office of the secretary of state, under its corporate seal, its written designation of some resident of the city of Dover upon whom service of any process issued under the authority of this state may be made with like effect as if made on said corporation. Said corporation shall from time to time file in said office a similar designation to fill any vacancy in said agency howsoever caused, and whenever there shall be no such agent on whom

process may be so served, like service may be made upon the secretary of state with like effect, and said corporation by the acceptance of the privileges of this act shall be held as assenting to such service.

SECT. 3. All proceedings, suits at law or in equity which may be pending at the time of such transfers to which either of said corporations may be a party, may be prosecuted or defended by the said Berwick, Eliot & York Street Railway in like manner and with like effect as if such transfer had not been made. All claims, contracts, rights and causes of action, at law or in equity, of or against either of said corporations so selling or leasing, may be enforced by suit or action to be begun or prosecuted by or against said Berwick, Eliot & York Street Railway.

Pending suits,
how prosecuted.

SECT. 4. When the transfers authorized by this act are carried out and fully completed the said Berwick, Eliot & York Street Railway shall be liable for the then legally existing debts and obligations of each and both of the corporations so making such transfers.

Existing
debts and ob-
ligations.

SECT. 5. Nothing herein shall be construed to authorize any increase of the capital stock of the Dover & Eliot Street Railway or of the Eliot Bridge Company, and in making the sales or leases herein authorized the stocks of said company shall not be sold, exchanged or transferred upon any basis in excess of the par value thereof.

Increase of
capital not
authorized.

SECT. 6. The said Berwick, Eliot & York Street Railway is hereby authorized to make such changes in the bridge of the Eliot Bridge Company not inconsistent with the duties, restrictions and liabilities imposed by the charter of the said Eliot Bridge Company, as may be required in the use thereof for street railway purposes, but all such changes shall be made to the satisfaction of the railroad commissioners of this state.

Certain
changes
authorized.

SECT. 7. The said Berwick, Eliot & York Street Railway in its ownership, use and management of the properties and franchises to be by it acquired under this act shall be subject to all the general laws of this state now or hereafter in force, so far as the same are applicable.

Lessee subject
to law of this
state.

SECT. 8. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 24, 1903.]

CHAPTER 286.

AN ACT TO INCORPORATE THE WARREN WATER & LIGHT COMPANY.

SECTION	SECTION
1. Corporation constituted; purposes.	6. May maintain electric plant.
2. Capital stock.	7. Contracts authorized.
3. Meetings.	8. First meeting.
4. Property.	9. Issue of bonds.
5. Right of eminent domain; assessment of damages.	10. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.	SECTION 1. That George H. L. Head, William R. Park, P. G. Williams, Archie A. Head, Edmund W. Eastman, their associates, successors and assigns, be and hereby are made a body politic and corporate under the name of the Warren Water & Light Company; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the rights, powers and privileges and made subject to all the duties and liabilities of corporations of like nature under the laws of the state.
Capital stock.	SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time be determined by the directors of said corporation, not exceeding in the whole the sum of twenty-five thousand dollars.
Meetings.	SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places and upon such notice as may be provided by the by-laws of the corporation.
Property.	SECT. 4. Said corporation is empowered to purchase and hold in fee simple or otherwise, real and personal estate necessary for the carrying into effect of the purposes of this act and may purchase and hold any existing aqueduct now supplying water to Warren village; and said corporation is authorized to enter upon and break ground, dig ditches and make excavations in any street, place, square, passageway or highway through which it may be deemed necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants or water-works and such other material as may be deemed necessary for constructing said water-works and to relay and repair the same.
Right of eminent domain; assessment of damages.	SECT. 5. Said corporation is authorized to enter upon and appropriate any streams, springs or ponds not belonging to any aqueduct or water-works company and to secure such streams, springs or ponds by fences or otherwise, and dig ditches, make excavations and reservoirs through, over, in or upon any land

or inclosure through which it may be necessary for said pipes and water to pass or said excavations and reservoirs and water-works to be and exist, for the purpose of obtaining, holding, preserving or connecting said water and placing said pipes, water-works or works as may be necessary for building and operating such water-works or repairing the same; *provided*, that if it shall be necessary to enter upon and appropriate any springs, streams or ponds or land for the purpose aforesaid, or to raise or lower the level of the same, and the said corporation shall not be able to agree with the owners thereof for the damages that may be done by said corporation, or the owners shall be unknown, either party may apply to the superior court at the trial term in the county of Grafton to have the same laid out and the damages determined; and said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided for laying out highways; and said commissioners shall make report to said court and said court may issue execution thereon accordingly; but if either party should desire it, upon application to said court, before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may appoint.

SECT. 6. Said corporation is further authorized to establish, manage and carry on in the town of Warren, the business of generating, manufacturing, producing and supplying electricity for the purpose of light and heat, distributing, conveying and supplying electricity by metallic wires or by any other suitable means of transmitting the same, upon poles erected or obtained for that purpose, or in subterranean tubes, pipes, or boxes placed in the public streets, highways, sewers and other places, to construct suitable buildings, boilers, engines, electrical machinery and works as may be needed and convenient for conducting the business of the corporation; and said corporation shall have the right to lay or carry metallic wires upon poles erected, maintained or obtained for the purpose or in subterranean pipes, tubes or boxes and in other appropriate and convenient ways in the public streets, highways or sewers of said town of Warren and to relay and repair the same agreeably to the directions of the selectmen of said town, a due regard being had to public safety and travel; to locate its wires and other means of transmission over or through public or private property or land, permission being had and price being agreed upon between the parties; and to make contracts with the town of Warren and the Warren village or fire district for lighting their streets or public buildings.

May maintain
electric plant.

SECT. 7. Said corporation may make any contract with said town of Warren or the Warren village district or with any other person or corporation to furnish water, hydrants and other

Contracts
authorized.

means for extinguishing fires and for other necessary purposes and such town or district or any fire precinct hereafter established, is hereby authorized to contract with this corporation for the same and may raise and appropriate money therefor.

First meeting. SECT. 8. The first two corporators named herein may call the first meeting of the corporation by giving notice in writing to each of the corporators of the time and places of meeting at least seven days before the day of meeting; and at said meeting, or any adjourned meeting thereof, associates may be admitted, all proper officers chosen, the capital stock fixed and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation.

Issue of bonds. SECT. 9. The said corporation may borrow money and issue its bonds for any of the purposes for which it is incorporated, securing such bonds or loans by mortgage on its property and franchises.

Takes effect on passage. SECT. 10. This act shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 287.

AN ACT TO AMEND THE CHARTER OF THE BENNINGTON WATER-WORKS COMPANY.

SECTION 1. Charter amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter amended.

SECTION 1. The Bennington Water-Works Company incorporated under chapter 272 of the Laws of 1893, and revised and extended under chapter 207 of the Laws of 1899, is amended as follows: In section 1, of said act, after the word "pipes" in the seventh line of said section, insert, also for furnishing power by water motors or otherwise, so that the section shall read as follows: SECTION 1. That Samuel D. Downes, William E. Downes, Augustus W. Grey, Frederic C. Starrett, William C. Starrett and John L. Flemming, and their associates successors and assigns shall be and hereby are made a body politic and corporate by the name of the Bennington Water-Works Company for the purpose of bringing water into the village of Bennington in said state by subterranean pipes, also for furnishing power by water motors or otherwise, and by that name may sue, and be sued, prosecute and defend to final judgment and execution, and are hereby invested with all the powers and privileges, and made subject to all the liabilities incident to corporations of a similar nature.

• [Approved March 24, 1903.]

CHAPTER 288.

AN ACT TO INCORPORATE THE SONS OF VETERANS MEMORIAL HALL
ASSOCIATION.

SECTION

1. Corporation constituted; purposes.
2. Property.
3. By-laws.

SECTION

4. First meeting.
5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That Frank H. Challis, Robert R. McGregor, Corporation constituted; purposes.
Arthur L. Ordway, W. E. Brocklebank, Charles M. Mathon,
David M. Johnson, and John A. Milnes, their associates and
successors, are hereby constituted a body politic and corporate
by the name of the Sons of Veterans Memorial Hall Association,
for the purpose of erecting and maintaining in the city of
Manchester a memorial hall for the accommodation of the
Grand Army of the Republic, Woman's Relief Corps, Sons of
Veterans and Daughters of Veterans, and the care, preservation
and exhibition of records, relics and mementoes of the
Civil War and other wars of the United States, and of articles
of a patriotic or historical character; and said corporation shall
possess all the powers and privileges and be subject to all the
liabilities by law incident to corporations of a similar nature.

SECT. 2. Said corporation shall have the power to take and Property.
hold, by gift, bequest, purchase, or otherwise, any real or personal
estate to an amount not exceeding twenty-five thousand
dollars.

SECT. 3. Said corporation may adopt such by-laws and By-laws.
regulations as they may deem expedient, not to conflict with
the laws of the state.

SECT. 4. The first three members named, or either of them, First meeting.
may call the first meeting of said corporation by giving notice
to each of the others herein named, in writing, at least seven
days prior to said meeting.

SECT. 5. This act shall take effect from and after its pas- Takes effect
sage. on passage.

[Approved March 24, 1903.]

CHAPTER 289.

AN ACT TO INCORPORATE THE EPPING, BRENTWOOD AND KINGSTON STREET RAILWAY COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.
7. Rights reserved to towns.

SECTION

8. Company to keep highways in repair.
9. Bonds not to be sold at less than par.
10. Restrictions on sale of bonds, etc.
11. Subject to general law.
12. First meeting.
13. Takes effect on passage; void as to parts not built within two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. That Russell H. Fellows, William A. Goodrich, Richard R. Morris, D. Frank Fellows, Frank H. Wood, George F. Quimby, L. Waldo Collins, Perrin W. Nichols, D. Frank Battles, Joseph A. Edgerly, John H. Carr their associates, successors and assigns, are hereby made a corporation by the name of Epping, Brentwood and Kingston Street Railway Company, with power to construct, maintain and operate a railway with convenient branches, connections, sidings, poles, wires, turnouts, and switches, from some convenient point in the town of Newton at the tracks of the Haverhill, Plaistow and Newton Street Railway, thence by the most direct and feasible route, through or near that part of said Newton called Newton Junction, thence through the town of Kingston by or near Bartlett's tavern in the said town of Kingston, and through Kingston Plains, to and through West Brentwood and Crawley's Falls in the town of Brentwood to Epping Corner by the Post-office block in the town of Epping, thence to and through the northeast corner of Brentwood aforesaid, thence to and through the town of Exeter to some convenient point in said Exeter at the tracks of the Exeter, Hampton and Amesbury Street Railway; and in said towns said street railway may be constructed upon and over such highways and lands as may be necessary, and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric or other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed two hundred thousand dollars and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the

operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town, and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be the true location of the tracks of said railway. But upon petition of any party interested and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided for by law in the laying out of highways.

How laid out
in highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

How laid out
elsewhere.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Location of
tracks.

Selectmen
may make
certain regu-
lations.

SECT. 6. Selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations with reference to their portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operation of said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

Rights re-
served to
towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway or may alter highways as authorized by law without incurring any liability therefor to said corporation.

Company to
keep high-
ways in
repair.

SECT. 8. Said railway corporation shall keep in repair to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Bonds not to
be sold at less
than par.

SECT. 9. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

Restrictions
on sale of
bonds, etc.

SECT. 10. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

SECT. 11. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Subject to general law.

SECT. 12. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

First meeting.

SECT. 13. This act shall take effect upon its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

Takes effect on passage; void as to parts not built within two years.

[Approved March 24, 1903.]

CHAPTER 290.

AN ACT TO INCORPORATE THE DERRY AND SALEM STREET RAILWAY COMPANY.

SECTION

- 1. Corporation constituted; purposes.
- 2. Capital stock.
- 3. How laid out in highways.
- 4. How laid out elsewhere.
- 5. Location of tracks.
- 6. Selectmen may make certain regulations.

SECTION

- 7. Rights reserved to towns.
- 8. Company to keep highways in repair.
- 9. Subject to general law.
- 10. First meeting.
- 11. Takes effect on passage; void as to parts not built within two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That John W. Wheeler, Matthew H. Taylor, Wallace W. Cole, and John P. Atwood all of Salem in the county of Rockingham, Levi W. Taylor of Methuen in the county of Essex and state of Massachusetts, and Frederick J. Shepard, Greenleaf K. Bartlett, Charles H. Day and Cassius S. Campbell all of Derry in said county of Rockingham, their associates, successors and assigns, are hereby made a corporation by the name of The Derry and Salem Street Railway Company, with power to construct, maintain, and operate a railway with convenient sidings poles, wires, turnouts, and switches from some convenient point at or near the causeway, so called across the Spicket river on the highway leading from Salem to Haverhill, in the said town of Salem, and thence running through North Salem to some convenient point on the Chester and Derry Electric Railway in the village of East Derry. A track of this corporation shall be laid to connect with the Haverhill and Southern New Hampshire Railway at Salem and of the Chester and Derry Railway at East Derry: and in said

Corporation constituted; purposes.

towns said street railway may be constructed upon and over such highways and lands as may be necessary; and it may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

Capital stock. SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars; and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of its capital stock and bonds to be issued from time to time shall be determined and issued in accordance with the provisions of chapter 27, section 17, Laws of 1895.

How laid out
in highways.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of the railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How laid out
elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; the

said railway corporation and all persons whose property shall be taken for its use, shall have, respectively, all the rights and privileges and be subject to all duties, restrictions, and liabilities contained in said chapter.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Location of
tracks.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the construction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interests or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by the selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

Selectmen
may make
certain
regulations.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Rights
reserved to
towns.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its track; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in construction management, or use of its tracks.

Company
to keep
highways
in repair.

Subject to
general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

Takes effect
on passage;
void as to
parts not
built within
two years.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 24, 1903.]

CHAPTER 291.

AN ACT TO INCORPORATE THE CHESTER, FREMONT AND BRENTWOOD STREET RAILWAY COMPANY.

SECTION

- 1. Corporation constituted; purposes.
- 2. Capital stock.
- 3. How laid out in highways.
- 4. How laid out elsewhere.
- 5. Location of tracks.
- 6. Selectmen may make certain regulations.
- 7. Rights reserved to towns.

SECTION

- 8. Company to keep highways in repair.
- 9. Bonds not to be sold at less than par.
- 10. Restrictions on sale of bonds, etc.
- 11. Subject to general law.
- 12. First meeting.
- 13. Takes effect on passage; void as to parts not built within two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. That Andrew J. Brown, Daniel J. Smith, George W. Ball, D. Frank Fellows, Plummer B. Corson, John H. Carr, Warren True, their associates, successors and assigns, are hereby made a corporation by the name of Chester, Fremont and Brentwood Street Railway Company, with power to construct, maintain and operate a railway with convenient branches, connections, sidings, poles, wires, turnouts and switches from some convenient point in the town of Chester from a spike in the ground at the terminus of the Derry and Chester Street Railway near the house of Arthur H. Wilcomb in the town of Chester, thence by the most direct and feasible route, to and by the Congregational church in said Chester, to or near the house of A. W. Moore in said Chester, thence to and through the southeast corner of the town of Raymond to the west line of Fremont, thence to or near the post-office in Fremont, thence to the west line of the town of Brentwood at a point near the crossing of said line by the Exeter river, thence

to or near the post-office in Brentwood, thence through Brentwood and Exeter to a spike in the ground in the town of Exeter at the tracks of the Exeter, Hampton and Amesbury Street Railway near the Boston & Maine Railroad station; and in said towns, said street railway may be constructed upon and over such highways and lands as may be necessary; and may also construct and maintain suitable buildings, dams, water and other motive power, engines, electric and other machinery for the generation of electricity or other motive power except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be issued from time to time shall be determined and issued in accordance with the provisions of the general laws. Capital stock.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town, and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be the true location of the tracks of said railway. But upon petition of any party interested and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided for by law in he laying out of highways. How laid out
in highways.

How laid out
elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes ; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor ; and from such orders there shall be no appeal.

Selectmen
may make
certain regu-
lations.

SECT. 6. Selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations with reference to their portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operation of said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require ; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

Rights re-
served to
towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway or may alter highways as authorized by law without incurring any liability therefor to said corporation.

Company to
keep high-
ways in re-
pair.

SECT. 8. Said railway corporation shall keep in repair to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway at least eighteen inches on each side of the portion of the highway so occupied by its tracks ; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence,

or misconduct of its agents and servants in the construction, management, or use of its tracks.

SECT. 9. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

Bonds not to be sold at less than par.

SECT. 10. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

Restrictions on sale of bonds, etc.

SECT. 11. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Subject to general law.

SECT. 12. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

First meeting.

SECT. 13. This act shall take effect upon its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

Takes effect on passage; void as to parts not built within two years.

[Approved March 24, 1903.]

CHAPTER 292.

AN ACT TO INCORPORATE THE HISTORY COMMISSION OF CONCORD.

SECTION	SECTION
1. Corporation constituted.	4. Vacancies, how filled.
2. Purposes.	5. First meeting.
3. May appoint agents.	6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the mayor of Concord, Amos Hadley, Howard F. Hill, Benjamin A. Kimball, James O. Lyford, Lyman D. Stevens and John M. Mitchell, their successors and assigns shall be and hereby are made a body politic and corporate by the name of the History Commission of Concord.

Corporation constituted.

SECT. 2. This corporation shall receive, when published, all copies of the History of Concord, authorized by said city by

Purposes.

ordinance passed January 14, 1896, and ordinances and resolutions supplementary thereto, and shall have the custody and control thereof, and shall provide for their sale, fixing the price thereof with the approval of the city councils of Concord, and account to said city for all moneys received therefrom.

May appoint
agents.

SECT. 3. This corporation is empowered to appoint an agent or agents to carry out its work and to fix their compensation.

Vacancies,
how filled.

SECT. 4. Any vacancy in the incorporators shall be filled by the city councils upon recommendation of the remaining members.

First meeting.

SECT. 5. The mayor of Concord, Amos Hadley, Howard F. Hill and James O. Lyford, or any two of them may call the first meeting of this corporation not later than May 1st, 1903, and at said meeting or any adjournment thereof may take such measures as are necessary to complete its organization.

Takes effect
on passage.

SECT. 6. This act shall take effect upon its passage.

[Approved March 24, 1903.]

CHAPTER 293.

AN ACT TO INCORPORATE THE SWIFT RIVER RAILROAD COMPANY.

SECTION

1. Corporation constituted.
2. Purposes.
3. Capital stock.
4. Directors.

SECTION

5. First meeting.
6. Void as to parts not built within ten years; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted.

SECTION 1. That George B. James, James E. French, A. C. Kennett, John C. Morgan and Charles E. Locke, their associates, successors and assigns are hereby made a corporation by the name of the Swift River Railroad Company, with all the rights, powers, and privileges, and subject to all the liabilities, duties, and restrictions of the laws of this state relating to railroads.

Purposes.

SECT. 2. Said corporation is authorized and empowered to locate, construct, and maintain a railroad not exceeding six rods in width, with the necessary additions for excavations and embankments, from a point in the town of Conway, near the mill or spool factory now or formerly of A. C. Kennett in the village of Conway Corner, being near the tracks of the Boston & Maine Railroad; thence westerly and northerly up the Swift

river valley, through the towns of Conway and Albany, in the county of Carroll, to some convenient point in the town of Waterville or the town of Livermore, in the county of Grafton, with the right to lease said railroad to any railroad with which it may connect.

SECT. 3. The capital stock of said corporation shall consist of not more than five thousand shares of one hundred dollars each, to be determined from time to time by the board of directors; and a toll is hereby granted to said corporation upon all persons and property that may be transported by said railroad.

Capital stock.

SECT. 4. The board of directors shall consist of seven persons, who shall be chosen annually; and all powers granted to this corporation, relating to the location, construction, and maintenance of said railroad, are hereby vested in the board of directors.

Directors.

SECT. 5. Any two of the above-named grantees may call the first meeting of said corporation by publishing a notice of the time and place in any newspaper published in said Carroll county, at least one week previous to day of meeting.

First meeting.

SECT. 6. Whereas this road is designed for the transportation of wood and lumber, and it may be necessary to construct parts of it at different times, therefore the time for the completion of said road shall be ten years from the passage of this act, and this act shall be void as to any and all parts not completed within said ten years, and shall take effect on and after its passage.

Void as to parts not built within ten years; takes effect on passage.

[Approved March 25, 1903.]

CHAPTER 294.

AN ACT TO INCORPORATE THE MEREDITH AND OSSIPÉE VALLEY RAILROAD COMPANY.

SECTION	SECTION
1. Corporation constituted.	4. Directors.
2. Purposes.	5. Void as to parts not built within two years; takes effect on passage.
3. Capital stock.	6. First meeting.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That George B. James, James E. French, A. C. Kennett, J. Alonzo Greene, Henry F. Dorr, Charles H. Dow and Charles E. Locke, their associates, successors and assigns are hereby made a corporation by the name of the Meredith and Ossipee Valley Railroad Company, with all the rights, powers, and privileges, and subject to all the liabilities, duties, and restrictions of the laws of this state relating to railroads.

Corporation constituted.

Purposes.

SECT. 2. Said corporation is authorized and empowered to locate, construct, and maintain a railroad not exceeding six rods in width, with the necessary additions for excavations and embankments, from some convenient point on the line of the Concord & Montreal Railroad in the town of Meredith, through the towns of Meredith, Center Harbor, Moultonborough, Sandwich, Tamworth to some convenient point on the line of the Boston & Maine Railroad in the town of Ossipee, through said town of Ossipee and the town of Freedom or Effingham, to some point on the state line in the towns of Freedom or Effingham, with the right to lease said railroad to any railroad with which it may connect.

Capital stock.

SECT. 3. The capital stock of said corporation shall consist of not more than five thousand shares of one hundred dollars each, to be determined from time to time by the board of directors; and a toll is hereby granted to said corporation upon all persons and property that may be transported by said railroad.

Directors.

SECT. 4. The board of directors shall consist of seven persons, who shall be chosen annually; and all powers granted to this corporation, relating to the location, construction, and maintenance of said railroad, are hereby vested in the board of directors.

Void as to
parts not built
within two
years; takes
effect on pas-
sage.

SECT. 5. This act shall be void as to any and all parts of said railroad not completed within two years from the passage of this act and this act shall take effect on and after its passage.

First meeting.

SECT. 6. Any two of the above-named grantees may call the first meeting of said corporation by publishing a notice of the time and place in any newspaper published in said Carroll county, at least one week previous to day of meeting.

[Approved March 25, 1903.]

CHAPTER 295.

AN ACT TO INCORPORATE THE DOVER LOAN AND TRUST COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Powers.
4. First meeting.

SECTION

5. How taxed.
6. Subject to repeal; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted.

SECTION 1. That John W. Jewell, Dudley L. Furber, Adams T. Peirce, William H. Roberts, F. B. Clark, Owen Coogan, their associates, successors, and assigns, be and hereby are incorporated and made a body corporate by the name of the Dover Loan and Trust Company, to be located at Dover, New Hampshire.

SECT. 2. Said corporation shall have a capital of fifty thousand dollars, divided into shares of one hundred dollars each, and shall not begin business until that sum shall have been paid in in cash. Capital stock.

SECT. 3. This corporation shall be empowered with authority to have and execute all the powers and privileges incident to corporations of the same nature, for the purpose of prosecuting the business of a safe deposit and trust company; to receive on deposit or for safe keeping money and other valuables, the funds of trustees, guardians, administrators, or others; to act as trustee for individuals and corporations, and officially, under judicial appointment by the courts of this state or other states, to act as financial agent; to make and negotiate loans for itself and others; to loan, borrow, and deal in money and investment securities; and to do a general banking business; but nothing in this act shall be construed as authorizing said corporation to do a savings-bank business. Powers.

SECT. 4. The first four persons named in the first section of this act, or any three of them, shall call the first meeting of the corporation by notice in writing to each grantee, or by publishing in some newspaper printed in Dover, at least ten days before the day of meeting. First meeting.

SECT. 5. The provisions of law now or hereafter in force governing the taxation of the capital stock in banks and trust companies shall apply to this corporation, and the affairs of this corporation shall be under the supervision and control of the bank commissioners. How taxed.

SECT. 6. The legislature may alter, amend, or repeal this act, whenever in their opinion the public good requires it, and this act shall take effect upon its passage. Subject to repeal; act takes effect on passage.

[Approved March 25, 1903.]

CHAPTER 296.

AN ACT TO INCORPORATE THE BELLMAN CLUB, OF MANCHESTER, N. H.

SECTION

- 1. Corporation constituted; purposes.
- 2. Property.
- 3. First meeting.

SECTION

- 4. Subject to repeal.
- 5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Frank Johnson, Samuel Osberg, Paul Janeson, Carl Swanson, Theodore Johnson, August Johnson, Claus O. Johnson, Ernest Turnblom, their associates and successors, be and hereby are made a body politic and corporate by Corporation constituted; purposes.

the name of Bellman Club, of Manchester, N. H., for social and benevolent purposes, to have a place of meeting where discussions, readings, and lectures on instructive subjects will be held, for the benefit and social improvement of its members, and to make provisions for a sick benefit for its members in case of sickness, and to provide a fund and to make other provisions for said purposes; said fund to be accumulated and all payments from it made in accordance with the constitution and by-laws made and adopted by said corporation.

Property.

SECT. 2. Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real, and personal estate for the purposes of the corporation to an amount not exceeding five thousand dollars, and may improve, sell, and convey, or otherwise dispose of the same at pleasure.

First meeting.

SECT. 3. Frank Johnson, Samuel Osberg, Paul Janeson, Carl Swanson, or any two of the above-named persons may call the first meeting of this corporation at such time and place and in such manner as they think proper.

Subject to repeal.

SECT. 4. The legislature may alter, amend, or repeal this act whenever the public good may require.

Takes effect on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 25, 1903.]

CHAPTER 297.

AN ACT TO INCORPORATE THE UNCANOONUC INCLINE RAILWAY AND DEVELOPMENT COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.
7. Rights reserved to towns.

SECTION

8. Company to keep highways in repair.
9. Subject to general law.
10. Bonds not to be sold at less than par.
11. Restrictions on sale of bonds, etc.
12. First meeting.
13. Takes effect on passage; void as to parts not built within two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. That C. E. Littlefield, W. W. Forbes, Leonard G. Smith, Orrin E. Kimbal, Carl E. York, Harry A. Piper, Fred C. Porter, S. H. Brown, E. S. George, Albert Merrill, E. S. Whitney, Frank E. Boyd, John H. Boyd, H. P. Watson, S. A. Felton, G. M. Read, J. W. Harmon, J. B. Pattee, E. S. Newton, E. B. Graupner, Jr., W. L. Mason, E. C. Smith, F.

A. Laxson, Wm. M. Parsons, James M. Moore, all of Manchester, Joseph Abbott, Ira Abbott of Rumney, Charles A. Bunker of Barnstead, their associates, successors and assigns, are hereby made a corporation by the name of the Uncanoonuc Incline Railway and Development Company, with power to construct, maintain and operate, with single or double track, with convenient sidings, turnouts and switches, from a convenient point in the southerly line of the Mast road, within the town of Goffstown, and within one mile from Shirley station, on the Boston and Maine Railroad, over and upon such highways and lands in said Goffstown as may be necessary, to some convenient point at the summit of Uncanoonuc mountains, and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery, for the generation of electricity or other motive power except steam, for the operation of said railway and for furnishing lights on its own premises only; all said power and lights are to be used in said town of Goffstown. Said corporation may purchase, sell, lease and improve real estate, and convert the same into parks and pleasure grounds, and construct and maintain suitable pavilions, casinos, restaurants, hotels and other buildings and structures for the convenience, entertainment and comfort of the public.

SECT. 2. The capital stock of said corporation shall not exceed one hundred and fifty thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time, shall be determined and issued in accordance with the provisions of the general laws.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of the town, upon petition of the directors of said railway for a location of its tracks over or on any public highway upon the line of said route, shall give notice by publication to all parties interested, of the time and place at which they will consider said petition for location in the public highways of said town, and after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon the petition of any party interested, and after a public hearing of all parties, the

Capital stock.

How laid out
in highways.

same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of the town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How laid out elsewhere.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

Location of tracks.

SECT. 5. The selectmen of the town through which said railway shall pass shall, within their town, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen may make certain regulations.

SECT. 6. The selectmen of the town through which said railway shall pass, may designate the quality and kind of material to be used in the construction of said railway within said town, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in such town, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in the town.

Rights reserved to towns.

SECT. 7. Said town, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to keep highways in repair.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the said town, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any

damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein. Subject to general law.

SECT. 10. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof. Bonds not to be sold at less than par.

SECT. 11. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners. Restrictions on sale of bonds, etc.

SECT. 12. Any three of the grantees may call the first meeting by publication, or by giving personal notice to the other grantees, at least ten days prior to the time of the meeting. First meeting.

SECT. 13. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage. Takes effect on passage; void as to parts not built within two years.

[Approved March 25, 1903.]

CHAPTER 298.

AN ACT TO EXEMPT CERTAIN PROPERTY OF THE MANCHESTER YOUNG MEN'S CHRISTIAN ASSOCIATION FROM TAXATION.

SECTION 1. Property exempted.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The real estate and buildings of the Young Men's Christian Association, located on Amherst street in Manchester, used exclusively for religious and social purposes, with such improvements as may be made thereon, shall be exempt from taxation so long as they are used for such purposes. Property exempted.

[Approved March 25, 1903.]

CHAPTER 299.

AN ACT TO INCORPORATE THE MILTON MILLS AND UNION ELECTRIC RAILWAY COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.
7. Rights reserved to towns.

SECTION

8. Company to keep highways in repair.
9. Bonds not to be sold at less than par.
10. Restrictions on sale of bonds, etc.
11. Subject to general law.
12. First meeting.
13. Takes effect on passage; void as to parts not built within two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. Henry H. Townsend, John E. Townsend, Elbridge W. Fox, F. H. Lowd, George S. Lovering, Charles D. Fox, Forrest L. Marsh, Charles W. Gross of Milton Mills, J. Frank Farnham, William M. Lord of Union, and their associates, successors, and assigns, are hereby made a corporation by the name of the Milton Mills and Union Electric Railway Company, with powers to construct, maintain, and operate a railway with convenient sidings, turnouts, and switches, from some convenient point on the state line between Maine and New Hampshire, in the village of Milton Mills, running westerly and northerly in the towns of Milton and Wakefield to some convenient point near the station of the Boston & Maine Railroad at Union in said Wakefield; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed fifty thousand dollars and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

How laid out
in highways.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively,

upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town, and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be the true location of the tracks of said railway. But upon petition of any party interested and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided for by law in the laying out of highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter. How laid out elsewhere.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal. Location of tracks.

SECT. 6. Selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to their portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operation of said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their Selectmen may make certain regulations.

respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

Rights reserved to towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway or may alter highways as authorized by law without incurring any liability therefor to said corporation.

Company to keep highways in repair.

SECT. 8. Said railway corporation shall keep in repair to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Bonds not to be sold at less than par.

SECT. 9. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

Restrictions on sale of bonds, etc.

SECT. 10. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

Subject to general law.

SECT. 11. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 12. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

Takes effect on passage; void as to parts not built within two years.

SECT. 13. This act shall take effect upon its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 25, 1903.]

CHAPTER 300.

AN ACT TO AMEND CHAPTER 243 OF THE LAWS OF 1901, CREATING
THE GRAFTON IMPROVEMENT MANUFACTURING & POWER COMPANY.

SECTION

1. Corporation constituted; purposes.
2. May purchase stock of other corporations.
3. Other corporations may sell or lease.
4. Rights of dissenting shareholders.
5. May maintain dams.
6. Capital stock; property.

SECTION

7. Right of eminent domain; assessment of damages.
8. May lay cables for electric current.
10. [9.] Pole locations.
11. [10.] Exemption.
12. [11.] Place of business.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out all the act after the enacting clause and insert in place thereof the following sections: SECTION 1. That Daniel C. Remich, Frank P. Bond, Henry F. Green, John Tillotson, Harry M. Morse, George Morse and Oscar C. Hatch, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Grafton Power Company, for the purpose of establishing, generating and operating water and electric power to be used for the purpose of manufacturing, milling, mining, heating, lighting and operating electric railways, with full power to lease or sell any power generated by them for any of said purposes or any other legal purpose within the limits of Grafton and Coös counties in the state of New Hampshire and the counties of Caledonia and Essex in the state of Vermont, with all the powers and privileges and subject to all the duties and liabilities which are legally incident to such corporations.

SECT. 2. Said corporation shall have the right to buy, sell, hold, vote, pledge and own shares of the capital stock of any other corporation having similar or partly similar franchises within the counties named in this charter. And whenever this corporation shall acquire the entire capital stock of such other corporation or corporations it may issue so much of its own stock therefor as the several corporations by a majority vote of their shareholders may determine to be reasonably equal in value to the stock or property of such other corporation, but such determination evidenced by such votes shall be filed in the office of the secretary of state before any new stock is issued, and nothing herein contained shall authorize the issue of more than one million dollars in capital stock, in all. Upon the issuing of such new stock this corporation shall become seized of the title of the other corporation to all the franchises, estate, rights and property so acquired, and shall be liable for all claims against such other corporation and shall have with

Corporation constituted; purposes.

May purchase stock of other corporations.

respect to the property estate and rights of said corporation all the franchises and powers it has with respect to its own property, together with all the franchises and rights formerly possessed by the corporation whose capital stock has been acquired.

Other corporations empowered to sell or lease.

SECT. 3. Any corporation or corporations in any of the counties named in the charter of this corporation and engaged, wholly or partially, in any business to be carried on by this corporation, may sell or lease its property, franchises, estate and privileges to this corporation upon such terms as the majority of the stockholders of such other company or companies and of this corporation shall agree.

Rights of dissenting shareholders.

SECT. 4. If any stockholder or stockholders of any such other corporation shall dissent from such vote of sale or lease and from such sale or lease, that corporation may proceed against him as in case of a dissenting stockholder of a railroad corporation, and all proceedings or rights acquired against such dissenting stockholder shall be the same as in the case of a dissenting stockholder of a railroad corporation, and the stock taken shall become vested in such taking corporation at the same stage of the proceedings. If any stockholder of this corporation shall dissent from such purchase or lease and vote therefor, it may proceed to take his stock as above provided.

May maintain dams.

SECT. 5. Said corporation is hereby authorized and empowered to build and maintain a dam or dams and all such works and structures as may be convenient and useful to carry into effect the objects aforesaid on, in, upon and across the Connecticut river at any feasible location or locations between the point where the lower Waterford bridge used to stand across said river connecting the towns of Littleton, New Hampshire, and Waterford, Vermont, and a point in the town of Dalton northeasterly from and so far up said river as may be and not in any way infringe upon or interfere with any franchises property or water rights now owned by the Dalton Power Company or its successors or assigns, and to make and maintain all such canals, slips and other devices as may be convenient, and to flow all such lands as may be convenient and useful in the prosecution of its business; *provided, however*, the structures authorized by this act shall in no case be of such a character as to infringe the public right of the highway for the floating of logs down said river in as free and convenient a manner as is afforded by the river in its natural condition.

Capital stock; property.

SECT. 6. The capital stock of said corporation shall not exceed the sum of one million dollars divided into shares of one hundred dollars each, the amount thereof within said authorized sum shall be fixed by the corporation at its first meeting, and it may increase its capital stock within said limits as provided by law. Said capital stock may be paid in in cash or in property taken at a just valuation, but no certificate of stock shall be

issued until fully paid for in one or the other of said ways. Said company shall have the right to acquire, own or hold, by lease, or purchase, any or all property, real, personal or mixed that may be convenient, useful or desirable for the purpose of prosecuting its business, and shall have the power to sell, mortgage, pledge or lease the properties, rights and franchises to other corporations in this state or the state of Vermont, and may issue its bonds to raise money for any lawful purpose, and may secure said bonds by a mortgage or mortgages of its property, franchises and privileges now possessed or which may be hereafter acquired.

SECT. 7. If it shall become necessary at any time for such corporation to acquire any lands or water rights to enable it to build and maintain its dam or dams, works and structures and to make and maintain its canals and slips within the limits mentioned in section 5 and it cannot agree with the owner of such land or water rights upon a price therefor, then it may file a petition in the superior court for the county of Grafton or Coös in the district in which the land and water rights lie, which petition may be filed in term or vacation describing the particular land or water rights to be taken and praying for an assessment of the damages of the owner for such taking and thereupon lawful process shall issue with order of notice to the owner which shall be served on the owner as required by the order and at said term (if filed in term) or at the next term of said court, if filed in vacation, the owner may elect a jury trial as to the assessment of damages, and his damages shall be assessed by a jury and judgment shall be entered according to the finding of the jury, and upon payment or tender to the owner by the corporation of the amount of the judgment, the corporation shall be vested with the title to the land, or water right. But if the owner elects that the petition be referred to a board of referees or to the county commissioners, it shall be so referred, and they shall proceed as county commissioners proceed in hearing and determining appeals from the award of damages in laying a highway, and judgment on their report shall be final, and upon payment or tender to the owner by the corporation of the amount of the judgment, the corporation shall be vested with the title to the land or water right. But, however the damages are assessed, if the owner does not accept the amount tendered to him, it shall be deposited with the clerk of the superior court of Grafton county or Coös county, as the case may be, subject to the owner's order before the corporation shall enter upon any land taken, or use and exercise any rights, privileges, or interest taken.

Right of eminent domain; assessment of damages.

SECT. 8. Said corporation may lay suitable cables upon the bed of the Connecticut river from bank to bank to be used for transmission of electric currents for all the purposes set forth in this charter, and may use any other method or appliances

May lay cables for electric current.

for transmission of said currents across said river, but not in any such manner as to obstruct the full and free use of said river as a public highway.

Pole locations.

SECT. 10. [9.] All pole locations granted pursuant to proceedings under chapter 81 of the Public Statutes shall be irrevocable for the term for which they are granted unless revocation is required for the prosecution of some public work.

Exemption.

SECT. 11. [10.] Section 4 of chapter 150 of the Public Statutes shall not be applicable to this corporation and its stockholders and debts.

Place of business.

SECT. 12. [11.] The principal place of business of this corporation shall be at such place in the county of Grafton or the county of Coös as may be determined by the incorporators at their first meeting, and it may be changed at any time by vote of the corporation, but must be at some place in said counties.

[Approved March 25, 1903.]

CHAPTER 301.

AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE SOCIETY OF SOCIAL FRIENDS," APPROVED JUNE 29, 1826, "AN ACT TO INCORPORATE THE UNITED FRATERNITY," APPROVED JULY 6, 1827, AND "AN ACT TO INCORPORATE THE PHILOTECHNIC SOCIETY OF THE CHANDLER SCIENTIFIC DEPARTMENT OF DARTMOUTH COLLEGE," APPROVED JULY 13, 1854, AND TO AUTHORIZE THE CALLING OF MEETINGS OF SAID CORPORATIONS RESPECTIVELY.

SECTION

1. Meetings, how called.
2. Votes by proxy.
3. Disposition of property.

SECTION

4. Former acts amended.
5. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Meetings, how called.

SECTION 1. A meeting of each or either of said corporations may be called by any justice of the peace within and for the county of Grafton to act upon any matter within the competency of the corporation by publishing notice thereof and of the object of the meeting in three successive issues of "The Dartmouth," a magazine published by the students of Dartmouth College, the last publication to be at least ten days before the day of the meeting.

SECT. 2. Members of the corporation may vote at any meeting of the corporation upon any subject before the meeting, by proxy, the authority for so doing being in writing and signed by the member; and a majority of the votes cast upon any subject shall bind the corporation.

Votes by proxy.

SECT. 3. Each of said corporations is authorized to sell or donate and transfer its library and other property to the trustees of Dartmouth College, for the uses of the college.

Disposition of property.

SECT. 4. Section 3 of each of the two acts first mentioned in the title to this act is amended by striking out the proviso therein and inserting in the place thereof the following: Said corporation may sell or donate and transfer its library and other property to the trustees of Dartmouth College, for the uses of the college, by a major vote of the members voting in person and by proxy at any meeting of the corporation called for the purpose in accordance with the provisions of this act.

Former acts amended.

SECT. 5. This act shall take effect upon its passage; and all acts and provisions of acts inconsistent therewith are hereby repealed.

Takes effect on passage; repealing clause.

[Approved March 25, 1903.]

CHAPTER 302.

AN ACT TO LEGALIZE AND CONFIRM THE WARRANT FOR, AND THE VOTES AND PROCEEDINGS AT, THE ANNUAL ELECTION AND MEETING IN WARD THREE OF THE CITY OF BERLIN, HELD THE TENTH DAY OF MARCH, 1903.

SECTION	SECTION
1. Warrant and proceedings legalized.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the warrant of the supervisors of checklists for, and the votes and proceedings thereunder at, the annual election and meeting in Ward Three of the city of Berlin, held in said ward on the tenth day of March, 1903, are hereby legalized and confirmed.

Warrant and proceedings legalized.

SECT. 2. This act shall take effect on its passage.

Takes effect on passage.

[Approved March 27, 1903.]

CHAPTER 303.

AN ACT AUTHORIZING THE CONCORD & MONTREAL RAILROAD, LESSOR,
TO VOTE ON ALL STOCK OWNED BY IT IN OTHER CORPORATIONS.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Authority
granted.

SECTION 1. At all meetings of corporations whose capital stock is owned in whole or in part by the Concord & Montreal Railroad, lessor of the Boston & Maine Railroad, said Concord & Montreal Railroad, lessor, may vote on all such stock owned by it.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 31, 1903.]

CHAPTER 304.

AN ACT TO INCORPORATE THE KEARSARGE MOUNTAIN ELECTRIC RAIL-
WAY COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regula-
tions.
7. Rights reserved to towns.

SECTION

8. Company to keep highways in repair.
9. Bonds not to be sold at less than par.
10. Restrictions on sale of bonds, etc.
11. Subject to general law.
12. First meeting.
13. Takes effect when; void as to parts
not built within two years.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Corporation
constituted;
purposes.

SECTION 1. That Arthur Thompson, E. H. Carroll, Mason T. Ela, W. N. Davis, A. J. Hook, C. B. Thompson and their associates, successors and assigns are hereby made a corporation by the name of The Kearsarge Mountain Electric Railway Company with power to construct, maintain and operate a railway with convenient sidings, turnouts and switches, from some convenient point in the village of Warner in the town of Warner and through the towns of Warner and Salisbury to some convenient point near the top of Kearsarge mountain; and may also construct and maintain suitable buildings, dams,

water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars and shall be divided into shares of a par value of one hundred dollars each; but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be issued from time to time shall be determined and issued in accordance with the provisions of the general laws. Capital stock.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the towns in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town, and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be the true location of the tracks of said railway. But upon petition of any party interested and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change; but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said town shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided for by law in the laying out of highways. How laid out
in highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter. How laid out
elsewhere.

Location of
tracks.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain regu-
lations.

SECT. 6. Selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations with reference to their portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operation of said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall, upon notice, hear the parties and finally determine the questions raised by said appeal.

Rights re-
served to
towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway or may alter highways as authorized by law without incurring any liability therefor to said corporation.

Company to
keep high-
ways in re-
pair.

SECT. 8. Said railway corporation shall keep in repair to the satisfaction of the superintendent of streets, street commissioners, road commissioners, or surveyors of highways in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Bonds not to
be sold at less
than par.

SECT. 9. No bonds, coupon notes or other evidences of indebtedness, payable at periods of more than twelve months from the date thereof, shall be sold or disposed of by said company for a less sum to be paid to said company in cash than the face value thereof.

SECT. 10. All bonds, coupon notes and other evidences of indebtedness at any time issued by said company shall be issued and sold to *bona fide* purchasers in such manner and subject to such restrictions as the board of railroad commissioners may prescribe, and said company shall not apply any part of the proceeds of said bonds for the original construction or equipment of its plant except in accordance with the approval of the railroad commissioners.

Restrictions
on sale of
bonds, etc.

SECT. 11. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

Subject to
general law.

SECT. 12. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

First meeting.

SECT. 13. This act shall not take effect until said Kearsarge Mountain Electric Railway Company shall have purchased all the property and assets of the Warner & Kearsarge Road Company whether standing in the name of said company or in the name of Nehemiah G. Ordway, meaning the property and assets used or acquired in connection with the construction and operation of the road which said Warner & Kearsarge Road Company was chartered to build, said property and assets being subject to the rights of the United States government for a telegraph or telephone line over said road under a contract with a duly authorized agent of the government named Howgate; *provided* that said Warner & Kearsarge Road Company or said Nehemiah G. Ordway, in case the title to said property stands in his name, will sell the same to said Kearsarge Mountain Electric Railway Company at the value thereof to be ascertained and determined by a board of three competent and disinterested arbitrators to be mutually agreed upon, or in default of such agreement, to be appointed by the superior court of Merrimack county upon petition of either party, and shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

Takes effect
when; void as
to parts not
built within
two years.

[Approved March 31, 1903.]

CHAPTER 305.

AN ACT IN AMENDMENT OF THE CHARTER OF THE EXETER GAS,
ELECTRIC LIGHT, AND POWER COMPANY.

SECTION

1. Name changed.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Name
changed.

SECTION 1. That the corporate name of the Exeter Gas, Electric Light, and Power Company as established by an act of the legislature at the January session, 1903, be and hereby is changed to the Exeter Gas Light Company.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 306.

AN ACT TO INCORPORATE THE CONNECTICUT RIVER POWER COMPANY
OF NEW HAMPSHIRE.

SECTION

1. Corporation constituted.
2. Powers and purposes.
3. Charge to municipality for electric service, how fixed.
4. Assessment of flowage damages.
5. Capital stock.
6. Issue of bonds, etc.

SECTION

7. Stock subscriptions; first meeting.
8. Directors and officers.
9. May begin business when.
10. Consolidation authorized.
11. Subject to repeal; void unless work begun within five years.
12. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Corporation
constituted.

SECTION 1. That E. G. Robertson, of Hinsdale, O. E. Randall and Fred Harris, of Chesterfield, Willard Bill, Jr., of Westmoreland, Windsor H. Goodnow, of Keene, and John H. Kimball, of Marlborough, all in the state of New Hampshire; and W. H. Vinton, Charles W. Dunham, Charles A. Harris, Charles R. Crosby, and J. Gray Estey, all of Brattleboro in the state of Vermont, their associates, successors and assigns, are hereby made a body corporate by the name of The Connecticut River Power Company of New Hampshire, and by that name may have perpetual succession, may sue and be sued, prosecute and defend to final judgment and execution, and shall be and

hereby are invested with all the powers, privileges, and made subject to all the liabilities, under the laws of the state applicable to corporations of a similar nature.

SECT. 2. The said corporation shall have the power and authority to construct a dam across the Connecticut river at any point in said river opposite the town of Brattleboro, Vermont, south of the mouth of the West river, together with all necessary wings, retaining walls, canals, gates, power-houses, mills and the necessary appurtenances, all to develop the water power of the Connecticut river, at the point where said dam shall be constructed, and for running and operating water mills and for erecting a reservoir of water, and for equalizing the flow of the same to its use and to the use of their mills for manufacturing and municipal purposes, and to use and sell water power from said dam and reservoir and from said water mills for municipal and manufacturing purposes, and to manufacture, produce and sell therefrom electricity for furnishing power for any and all uses, lighting the streets and the highways, lighting and heating buildings, manufactories and other places, and to enter into and execute contracts, agreements or covenants in relation to the objects of the corporation, and of enforcing the same; and any municipality to which electricity may be so furnished is hereby authorized to contract with this corporation for electricity for public uses on such terms as the parties may agree and to raise money therefor in the same manner as other town charges. Said corporation shall be capable of taking and holding any estate, real and personal, necessary for the purposes of said corporation, and which may be necessary for said corporation to acquire and hold for the purpose of securing debts accrued in the regular business of said corporation; and may for the purpose of distributing and delivering electricity for the purposes as herein provided, erect and maintain lines and conduits under, in, or upon the streets and highways of any town or city under such regulations therefor as are provided under the general laws of the state. The said corporation shall also have the power to construct and maintain a plant for producing electricity by steam power as auxiliary to the water power it may develop as herein provided. *Provided always* that the said corporation is hereby granted no right or privilege to construct any dam which will raise the water in the Connecticut river at any point within two and one half miles of the dam of the Bellows Falls Canal Company on said river, either at low, medium or high water at any season of the year, and *provided further*, that none of the structures hereby authorized shall interfere with the free use of said river as a public highway for floating logs.

SECT. 3. This corporation shall furnish to any municipality whose territory adjoins the flowage caused by said dam, electricity for lighting the streets and highways, and public build-

Powers and purposes.

Charge to municipality how fixed.

ings of such municipality, and for pumping water for fire protection and domestic uses in and for such municipality, which shall be furnished to the distance of fifteen miles from said dam, in preference to any other demands for or use of such water power or electricity produced or manufactured under the provisions of this act. In case this corporation cannot agree with the officers of such municipality or municipalities as to the charge to be made for electricity furnished under the provisions of this section, either party may petition to the superior court for Cheshire county to have the amount of compensation therefor determined; and said superior court shall thereupon, on due notice, hear and determine the facts involved, either by a commission or in open court, and thereupon make such order and judgment in the premises as to the court shall seem just and reasonable. And this corporation shall then and thereupon furnish to such municipality, electricity for the purposes named in this section, under and according to the terms of such judgment and order, until the same be revised, modified or altered by said court. And in case this corporation shall wilfully fail and neglect to comply with such judgment and order, it shall forfeit the sum of twenty-five dollars per day as a penalty, to the other party, to be recovered by the other party in an action on this statute.

Assessment of
flowage dam-
ages.

SECT. 4. If in the erection, maintenance or continuance of said dam, wings, retaining walls, canals and water mills, it becomes necessary to flow water on to lands or property of any other person or persons or corporation, and this corporation cannot agree with the owner or owners thereof as to the necessity for and damage to be paid therefor, this corporation may apply by petition to the superior court for the county of Cheshire to have the necessity therefor determined and the damage that may have been or may be done thereby, assessed, and then and thereupon the same proceedings shall be had in the premises as are provided in sections 14 to 18 inclusive, of chapter 142 of the Public Statutes of New Hampshire, as amended by chapter 50 of the acts of 1893. And upon payment or tender of the damage and costs, so ascertained and determined, and not before, this corporation may proceed and continue to flow water on to said land and property. *Provided, however,* that nothing in this act shall be so construed as to authorize the taking by said corporation for the purpose of its charter of any lands or other property already appropriated and in use for railroad purposes, or which may be required for the double track of the Vermont Valley Railroad between the villages of Belows Falls and Brattleboro, Vermont: And *provided further* that the dam of this corporation shall not be flooded until the embankments, road-bed, ways, culverts and bridges of the Brattleboro & Whitehall Railroad and the Vermont Valley

Railroad in Vermont, and the highway bridge across the Connecticut river between Walpole and Westminster, are properly and effectively protected against damage, by rubble, masonry or otherwise, to the satisfaction of the engineers of said respective railroad companies, and, as to said highway bridge, to the satisfaction of the selectmen of the town of Walpole, and in case of disagreement as to the method and construction of said protection and its effectiveness or the necessity therefor, the same shall be determined by a competent board of engineers, experienced and qualified in railroad and bridge construction and work; one to be named by this corporation, one by the railroad company or town interested, and the third to be chosen by them. Any required changes in the construction of bridges including the said Walpole bridge, culverts or road-bed to be made by the railroad company or town respectively interested, or the lessees of said railroad companies, subject to the foregoing provisions, at the expense of this corporation and within a reasonable time after notice of the requirements and security given for its payment.

SECT. 5. The capital stock of this corporation shall be two hundred thousand dollars, which may be increased by a majority vote of its stockholders to any sum not to exceed one million dollars. Said capital stock shall be divided into shares of one hundred dollars each. Capital stock.

SECT. 6. Said company shall have the power to borrow money, issue its bonds therefor, and, upon vote of its stockholders, mortgage its property, rights and franchise to secure the payment of such bonds to an amount not exceeding the amount of its capital stock. Issue of bonds,
etc.

SECT. 7. The persons named in section 1 of this act shall be commissioners to receive subscriptions to the capital stock of this corporation, and after sufficient capital stock has been subscribed, as herein provided, any three of them may call the first meeting of the corporation by publication or by giving personal notice to the other grantees and subscribers to stock, at least ten days prior to the time of meeting, at which first meeting or any adjournment thereof, by-laws may be adopted, directors chosen, and such other business transacted as thought proper when met. Stock sub-
scriptions;
first meeting.

SECT. 8. The management of the affairs of this corporation shall be vested in a board of directors, to consist of not less than five in number, to be chosen from the stockholders, at the annual meeting, who shall hold office until others are chosen in their places, and a majority of such board shall constitute a quorum for the transaction of business. Said board of directors shall elect a president, clerk and treasurer, who shall give bonds as they may determine, and such other officers and agents as may be found necessary, and fix their duties and compensation. Directors and
officers.

May begin
business
when.

SECT. 9. The said company shall not organize or be empowered to transact business until ten thousand dollars of the capital stock has been subscribed, and twenty-five per cent. of said sum shall have been paid in.

Consolidation
authorized.

SECT. 10. This corporation may merge and consolidate its capital stock, franchises and property with, and may acquire the capital stock, franchises and property of any other corporation or corporations formed under the laws of any other state, for the same purposes that this corporation is organized. And any other such corporation which shall take and acquire the capital stock, franchise and property of this corporation shall have all the rights of and shall be subjected to all the duties and obligations of this corporation, in every particular, as provided in this act.

Subject to
repeal; void
unless work
begun within
five years.

SECT. 11. This act shall be within the control of the legislature at any time to amend or repeal as the public good shall require. If said corporation shall not within five years after the approval of this act commence the construction of said dam, then this act shall be void.

Takes effect
on passage.

SECT. 12. This act shall take effect from its passage.

[Approved March 31, 1903.]

CHAPTER 307.

AN ACT TO INCORPORATE THE CALEDONIA POWER COMPANY.

SECTION

- 1. Corporation constituted; purposes.
- 2. May hold stock of other corporations.
- 3. Construction of lines.
- 4. Capital stock; property.
- 5. Issue of bonds.

SECTION

- 6. May maintain dams.
- 7. May lay cables for electric current.
- 8. First meeting.
- 9. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation
constituted;
purposes.

SECTION 1. That George Van Dyke of Boston, county of Suffolk and commonwealth of Massachusetts, Philo B. Van Dyke of Barnet, county of Caledonia and state of Vermont, Irving W. Drew, W. P. Buckley, Merrill Shurtleff of Lancaster, county of Coös and state of New Hampshire, Herbert I. Goss of Berlin, in said county of Coös, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of The Caledonia Power Company, for the purpose of establishing, generating and operating water and electric power to be used for the purpose of manufacturing, milling, mining, heating, lighting, and operating electric railways, with full power to lease or sell any power generated

by them for any of said purposes, or any other legal purpose within the limits of Grafton and Coös counties in the state of New Hampshire, and the counties of Caledonia and Essex in the state of Vermont, with all the powers and privileges and subject to all the duties and liabilities which are legally incident to such corporations.

SECT. 2. Said corporations shall have the right to buy, sell, hold, vote, pledge and own shares of the capital stock of any other corporation having similar or partly similar franchises, within the counties named in this charter, and it shall also have the right to acquire by lease the property, rights, privileges and immunities of any corporation or corporations doing business within said counties, upon such terms and conditions as shall be mutually agreed upon, and upon such purchase or lease and a transfer and conveyance of the same to the company, it shall succeed to and enjoy all the rights, privileges and immunities enjoyed and belonging to the purchased or leased company. May hold stock of other corporations.

SECT. 3. The said company is hereby authorized to construct and maintain its lines of wires in accordance with the laws of the state of New Hampshire. Construction of lines.

SECT. 4. The capital stock of said corporation shall not exceed the sum of one million dollars, divided into shares of one hundred dollars each. The amount thereof, within said authorized limits shall be fixed by the corporators upon the organization of the company, and the same shall from time to time be increased as determined by the stockholders until all the one million dollars has been issued. Said capital stock may be paid in cash or in property taken at a fair valuation, but no shares shall be issued until fully paid for. The said company shall have the right to acquire, own, or hold by lease or purchase, any and all property, both real and personal, that may be necessary or useful for the purpose of its business, and shall also have the power to sell, mortgage or lease its franchises, rights, and properties to any other corporation. Capital stock; property.

SECT. 5. The said company may issue its bonds for the accomplishment of any of the purposes for which it is incorporated at such rates and times, and in such amounts as the stockholders may authorize; *provided* such bonds shall not be issued in amounts exceeding the amount of the capital stock actually paid in; and it may secure payment of such bonds, both principal and interest, by mortgage on its property and franchises. Issue of bonds.

SECT. 6. Said corporation is hereby authorized and empowered to keep and maintain a dam or dams, and all such works and structures as may be necessary and proper to carry into effect the objects aforesaid, on and across the Connecticut river at any point or points between the confluence of the Passumpsic and Connecticut rivers on the south and a point known May maintain dams.

as lower Waterford bridge on said Connecticut river on the north, and to make and maintain all such canals and slips as may be necessary and proper for the purposes aforesaid; *provided, however*, that the structures authorized by this act shall in no case be of such a character as to infringe the public right of the highway for the floating of logs down the said river in as free and convenient a manner as is afforded by the river in its natural condition, and *provided* it shall not by its structures flow back so as to interfere with the property or water rights of the Grafton Improvement, Manufacturing & Power Company, or the Grafton Power Company.

May lay cables for electric current.

SECT. 7. Said corporation may lay suitable cables upon the bed of the Connecticut river from bank to bank, to be used for the transmission of electric currents for all the purposes set forth in this charter, and may use any other method or appliance for the transmission of said currents across said river, but not in any such manner as to obstruct the full and free use of said river as a public highway for the floating of logs.

First meeting.

SECT. 8. Any person named in this act may call the first meeting of the corporation by giving personal notice to all the grantees at least ten days before such meeting, at which meeting, or any other meeting duly holden, associates may be elected, by-laws adopted, and a president, clerk, and such other officers and agents as may be deemed necessary may be chosen.

Takes effect on passage.

SECT. 9. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 308.

AN ACT TO REVIVE THE CHARTER OF THE COLEBROOK WATER COMPANY, APPROVED FEBRUARY 23, 1897.

SECTION

1. Charter revived.

SECTION

2. Takes effect on passage; exemption.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter revived.

SECTION 1. An act entitled "An act to incorporate the Colebrook Water Company," approved February 23, 1897, is hereby revived and continued in force as fully and completely, to all intents and purposes, as if the same were incorporated at the present time.

Takes effect on passage; exemption.

SECT. 2. This act shall take effect and be in force from and after its passage, and the provisions of section 5, chapter 14 of the Public Statutes, shall not apply thereto.

[Approved March 31, 1903.]

CHAPTER 309.

AN ACT TO INCORPORATE THE PEABODY RIVER IMPROVEMENT COMPANY.

SECTION

1. Corporation constituted; purposes.
2. May maintain dams; assessment of flowage damages.
3. May establish tolls.
4. Tolls subject to revision.

SECTION

5. Rates of toll to be published.
6. First meeting.
7. Subject to repeal.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Frank P. Thomas of Andover, Maine, James M. Lavin, Ernest McC. Macy, Jason H. Woodward and Osman W. Fernald of Berlin, New Hampshire, and Alva B. Libby and Walter C. Libby of Gorham, New Hampshire, and their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Peabody River Improvement Company, for the purpose of erecting dams and sluices, and making such other improvements as may be proper and necessary, on Peabody river and its tributaries in Coös county, to improve said river and its tributaries, for the purpose of driving logs and lumber therein, and driving lumber over and through said dams and sluices, and of establishing rates of toll on lumber so driven and sluiced; and shall be invested with all the rights and privileges, and subjected to all the liabilities of corporations of a similar nature; and may purchase and hold real estate and other property not exceeding in value the sum of twenty-five thousand dollars, said sum to be held in shares of one hundred dollars each.

SECT. 2. Said corporation may erect and maintain such and so many dams, sluices, and booms, on said river and its tributaries, and may clear, deepen, and improve the same to such extent as shall be deemed necessary for the proper driving of logs and lumber through said improvements and river into the Androscoggin river; and if the owner or owners of any property situated within the bounds of said river feel that his or their property has been damaged by said improvements, he or they may apply to the superior court for the southern judicial district of said county, and said court shall, on application of the party aggrieved, cause said damage, if any, to be estimated by the county commissioners of said county; *provided, however,* that if either party, before such reference to said county commissioners or committee of three disinterested men shall so desire, the question of damages shall be submitted to a jury for determination.

Corporation constituted; purposes.

May maintain dams; assessment of flowage damages.

May establish
tolls.

SECT. 3. Said corporation may make and establish such rates of toll for driving lumber or timber over or through said dams, sluices, and river and its tributaries as may be deemed by them expedient, and shall have power to sue for and collect such toll in the same manner as corporations are by law allowed to collect debts due them; and said corporation may have a lien on all logs or timber which may pass over or through said dams, sluices, and improvements, and may hold possession of the same until said tolls are paid or satisfactorily secured.

Tolls subject
to revision.

SECT. 4. Any party aggrieved by the rates of toll so established as aforesaid in the preceding section, may apply to said court or any justice thereof, who after due notice to the parties and hearing shall revise said rates, and his revised rates of toll shall be the established rates on said river.

Rates of toll
to be pub-
lished.

SECT. 5. As soon as said rates of toll are established, said corporation shall cause the same, duly attested, to be published in some newspaper in said district, and such rates, when so published and recorded in the clerk's book of records of the doings of said corporation, shall be the established rates, and such notice shall be deemed legal notice to all parties concerned.

First meeting.

SECT. 6. Either one of the incorporators, may call the first meeting of said corporation by publishing notice thereof three weeks prior to said meeting in the *Coos County Democrat*, a newspaper printed in said district; and said corporation when so met may elect associates, establish by-laws, rules, and regulations for the government of the same, elect officers as may be necessary, and transact such business as may pertain to corporations of a similar nature.

Subject to re-
peal.

SECT. 7. The legislature may at any time alter, amend or repeal this act.

Takes effect
on passage.

SECT. 8. This shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 310.

AN ACT TO INCORPORATE THE CONCORD, DOVER & ROCHESTER STREET
RAILWAY.

SECTION

1. Corporation constituted; purposes.
2. Vacancy in membership, how filled.
3. Capital stock.
4. How laid out in highways.
5. How laid out elsewhere.
6. Location of tracks.
7. Selectmen may make certain regulations.

SECTION

8. Rights reserved to towns.
9. Company to keep highways in repair.
10. Subject to general law.
11. First meeting.
12. Takes effect on passage; void as to parts not built within two years; exemption.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Elisha R. Brown, Arthur G. Whittemore, Thomas H. Dearborn, Daniel Hall, and George D. Barrett, all of Dover in the county of Strafford, Frederic E. Small, R. DeWitt Burnham, Charles S. Barker, all of Rochester in said county, Nathaniel E. Martin and James H. Morris, both of Concord in the county of Merrimack, John B. Jameson of Antrim in the county of Hillsborough, George W. Lane of Chichester in said county of Merrimack, Charles F. Cate, F. H. Folsom, and Samuel W. Gerrish, all of Northwood in the county of Rockingham, and William C. Chesley of Nottingham in said county of Rockingham, John H. Neal and Samuel D. Felker both of said Rochester, their associates, successors, and assigns, are hereby made a corporation by the name of the Concord, Dover & Rochester Street Railway, with power to construct, maintain, and operate a railway with convenient sidings, poles, wires, turnouts, and switches from some convenient point at or near the intersection of North Main and Bridge streets in the said city of Concord; thence through said Bridge street, and through said city of Concord to the line of the town of Pembroke; thence through the northwestern corner of said Pembroke, and through Chichester, and through the village of Short Falls or Epsom Depot in the town of Epsom, Northwood, and through the northerly corner of the town of Nottingham, Barrington; thence through Strafford, and the northerly corner of the town of Madbury, and in the city of Dover to some convenient point at or near the Boston & Maine Railroad station in the city of Dover, or through the city of Rochester to some convenient point at or near the Boston & Maine Railroad station in the city of Rochester, or to said terminals in both said cities, as this corporation may determine (but this corporation shall not build directly from Dover to Rochester, or from Rochester to Dover), and in each of said cities, in case the

Corporation constituted; purposes.

corporation shall build the railroad hereby authorized to both of them, or in either of said cities in case it shall build the railroad herein authorized to but one of them, the track of this corporation shall be laid to connect with the track of the Dover, Somersworth & Rochester Street Railway at the extreme point to which said Dover, Somersworth & Rochester Street Railway shall have been constructed at the time of the building of the railroad hereby authorized, toward the west in said city or cities. And in said city or cities from such extreme point this corporation may enter upon, use, and run its cars over the line of the Dover, Somersworth & Rochester Street Railway directly to the terminus of the railroad of this corporation in each or either of said cities upon such terms as this corporation and said Dover, Somersworth & Rochester Street Railway may agree, or in the absence or inability to make an agreement, upon such terms as the railroad commissioners may determine, upon the petition of either party. Said corporation may construct the railroad herein authorized through such of the towns herein named and in such sequence as it may determine, and may pass in and through a town or part of a town more than once if necessary, between the termini; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

Vacancy in
membership,
how filled.

SECT. 2. In case of the death or inability to act of any incorporator, his associates from the town or city in which he lived may fill the vacancy by choice signified to all their associates in writing within thirty days of the death or inability to act of such incorporator, and the person so elected to fill the vacancy shall have and possess all the rights and powers he would have had, had he been named herein as incorporator. In case of the death or inability to act of an incorporator from a town or city from which there is but one incorporator, all his associates shall act in filling the vacancy.

Capital stock.

SECT. 3. The capital stock of said corporation shall not exceed four hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time, shall be determined and issued in accordance with the provisions of the general laws.

How laid out
in highways.

SECT. 4. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town or towns or the board of mayor and

aldermen of the city or cities in which said portions of highways or streets may be. The selectmen of the towns, or mayor and aldermen of cities, respectively, upon petition of the directors of said railway for a location of its tracks over or on any public highway upon the line of said route, shall give notice by publication to all parties interested, of the time and place at which they will consider said petition for location in the public highways of said town or towns, city or cities, and after a public hearing of all persons interested, they may make an order granting the same or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon the petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, boards of mayor and aldermen, or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the city or town, as such board may deem just. The boards of mayor and aldermen of cities and selectmen of towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

SECT. 5. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter. How laid out elsewhere.

SECT. 6. The selectmen of the towns and the board of mayor and aldermen of cities through which said railway shall pass shall, within their respective towns or cities, have exclusive and final jurisdiction to locate the tracks, side-tracks, turn-outs, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal. Location of tracks.

SECT. 7. The boards of mayor and aldermen of cities and the selectmen of the towns through which said railway shall Selectmen may make certain regulations.

pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their said towns or cities, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns or cities, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns or cities.

Rights reserved to towns.

SECT. 8. Said towns and cities, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to keep highways in repair.

SECT. 9. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns or cities, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to general law.

SECT. 10. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 11. Any three of the grantees may call the first meeting by giving personal notice to the other grantees, at least ten days prior to the time of the meeting.

Takes effect on passage; void as to parts not built within two years; exemption.

SECT. 12. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage, and shall not be subject to the provisions of section 5, chapter 14 of the Public Statutes.

[Approved March 31, 1903.]

CHAPTER 311.

AN ACT TO INCORPORATE THE MANCHESTER AND HAVERHILL STREET
RAILWAY COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Right to build in Manchester.
3. Capital stock.
4. How laid out in highways.
5. How laid out elsewhere.
6. Location of tracks.
7. Selectmen may make certain regulations.

SECTION

8. Rights reserved to towns.
9. Company to keep highways in repair.
10. Subject to general law.
11. First meeting.
12. Takes effect on passage; void as to parts not built within two years.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That Harry P. Ray and William F. Harrington of Manchester in the county of Hillsborough; Martin L. Piper, Simon G. Prescott and William J. Brown, all of Auburn, in the county of Rockingham; David T. Day, John M. Webster and Augustus P. Morse, all of Chester, in the county of Rockingham; John W. Lovering, Charles H. Young and Francillus M. Sanborn, all of Sandown in the county of Rockingham; Alfred A. Collins, Mahlon B. Darbe and Clarence M. Collins, all of Danville, in the county of Rockingham; Lucius M. Darbe, William J. Keezer and Walter A. Allen, all of Hampstead, in the county of Rockingham; Moses B. Dow, Hillaire Gilbert and Joseph Harris, all of Plaistow, in the county of Rockingham, their successors, associates and assigns, are hereby made a corporation by the name of the Manchester and Haverhill Street Railway Company with power to construct, maintain and operate a railway with convenient sidings, poles, wires, turnouts and switches from an iron pin in the ground located on the division line between the town of Auburn and the city of Manchester, N. H., near the house of Samuel Reed; thence running through the towns of Auburn and Chester; the town of Sandown by way of Sandown depot; through the town of Danville by way of the junction of five roads, by the shoe-shop in the southern part of said town; through the town of Hampstead, passing through the village of East Hampstead, in said town; and through the town of Plaistow to an iron pin located on the dividing line between the state of New Hampshire and the commonwealth of Massachusetts, over and upon such highways and lands as may be necessary; and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway.

Corporation
constituted;
purposes.

Right to build
in Manchester.

SECT. 2. In case the Manchester Street Railway Company does not before the time at which the tracks of this street railway company are constructed and its road completed to the line between Auburn and Manchester, construct its road in the highway in which it is at present laid, toward Auburn, to the line between Manchester and Auburn, then this company may build its track beyond the Auburn line and into Manchester along said highway, until it reaches an iron pin in said highway at an elm tree, which tree is about one thousand feet from the line between Auburn and Manchester, and is at the division line between the property of the Manchester Street Railway Company and the highway aforesaid.

Capital stock.

SECT. 3. The capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, and shall be divided into shares of a par value of one hundred dollars each, but said company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

How laid out
in highways.

SECT. 4. All parts of said railway occupying any portion of the public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and, after a public hearing of all persons interested, they may make an order granting the same or any portion thereof under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway; but upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen or their successors in office, if in their judgment the public good requires such change, but if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change of location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board

may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

SECT. 5. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges and be subject to all the duties, restrictions, and liabilities contained in said chapter.

How laid out elsewhere.

SECT. 6. The selectmen of the towns through which said railway shall pass shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Location of tracks.

SECT. 7. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of material to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all the designations, orders, rules, and regulations thus made or established, and all locations made by selectmen, shall be forthwith recorded in the records of said respective towns. The railway company, or any persons interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.

Selectmen may make certain regulations.

SECT. 8. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Rights reserved to towns.

SECT. 9. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks, and shall

Company to keep highways in repair.

be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to general law.

SECT. 10. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 11. Any three of the grantees may call the first meeting by publication, or by giving personal notice to the other grantees at least ten days prior to the time of the meeting.

Takes effect on passage; void as to parts not built within two years.

SECT. 12. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 31, 1903.]

CHAPTER 312.

AN ACT TO INCORPORATE THE DUNBARTON & GOFFSTOWN STREET RAILWAY COMPANY.

SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. How laid out in highways.
4. How laid out elsewhere.
5. Location of tracks.
6. Selectmen may make certain regulations.

SECTION

7. Rights reserved to towns.
8. Company to keep highways in repair.
9. Subject to general law.
10. First meeting.
11. Takes effect on passage; void as to parts not built within two years.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. That Philando M. Lord, Iru C. Merrill, George O. Bailey, John C. Mills, Edward P. Page, William H. Stinson, David M. Hadley and John Bunten, are hereby made a corporation by the name of the Dunbarton & Goffstown Electric Railway Company, with power to construct, maintain, and operate a railway with convenient sidings, turnouts, and switches from some convenient point in the village of Dunbarton in the town of Dunbarton, to some convenient point in the village of Goffstown in the town of Goffstown, and may also construct and maintain suitable buildings, dams, water and other motors, engines, electric and other machinery for the generation of electricity or other motive power, except steam, for the operation of said railway; and may also contract with any other company or corporation to supply the necessary electricity for motive power for the operation of said railway.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of a par value of one hundred dollars each; but said

company may issue capital stock and bonds to such an amount only as may be necessary to construct and equip said railway, including the amount required to provide motive power for the operation thereof; and its bonded and other indebtedness shall at no time exceed the amount of capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

SECT. 3. All parts of said railway occupying any portion of a public highway or street shall be located thereon by the selectmen of the town in which said portions of highways or streets may be. The selectmen of said towns respectively, upon petition of the directors of said railway for a location of its tracks on or over any public highway upon the line of said route, shall give notice by publication to all parties interested of the time and place at which they will consider said petition for location in the public highways of said town; and, after a public hearing of all persons interested, they may make an order granting the same, or any portion thereof, under such restrictions and upon such conditions as they may deem the interests of the public require; and the location thus granted shall be deemed to be the true location of the tracks of said railway. But upon petition of any party interested, and after a public hearing of all parties, the same may be changed at any time to other parts of the same highway or street by subsequent order of said selectmen, or their successors in office, if in their judgment the public good requires such change; but, if such order is made after the construction of said railway on the original location, an appeal therefrom by any party interested may be had to the board of railroad commissioners, whose decision shall be final; and the expense of making such change in location shall be apportioned by the board of railroad commissioners between the railway and the town, as such board may deem just. The selectmen of said towns shall assess damages to abutters, subject to the right of appeal, in the same manner as now provided by law in the laying out of highways.

How laid out
in highways.

SECT. 4. All parts of said railway not located in a public highway shall be laid out, located, and the location changed under the provisions of chapter 158 of the Public Statutes; and said railway corporation, and all persons whose property shall be taken for its use, shall have respectively all the rights and privileges, and be subject to all the duties, restrictions, and liabilities contained in said chapter.

How laid out
elsewhere.

SECT. 5. The selectmen of the towns through which said railway shall pass, shall, within their respective towns, have exclusive and final jurisdiction to locate the tracks, side-tracks, turnouts, and poles for said railway, and may order said railway to discontinue temporarily the use of any of its tracks in any highway, whenever they deem that the convenience and safety

Location of
tracks.

of the public require such discontinuance, without incurring any liability therefor; and from such orders there shall be no appeal.

Selectmen
may make
certain regu-
lations.

SECT. 6. The selectmen of the towns through which said railway shall pass, respectively, may designate the quality and kind of materials to be used in the construction of said railway within their said towns, and may from time to time make such reasonable orders, rules, and regulations, with reference to that portion of said railway occupying the public highways in their respective towns, as to the rate of speed, the manner of operating said railway, the reconstruction of tracks, poles, wires, switches, and turnouts within any highway in their respective towns, as the interest or convenience of the public may require; and all designations, orders, rules, and regulations thus made or established and all locations made by selectmen shall be forthwith recorded in the records of said respective towns. The railway company, or any person interested, may at any time appeal from such designations, orders, rules, and regulations thus made and established to the board of railroad commissioners, who shall upon notice hear the parties and finally determine the questions raised by said appeal.

Rights re-
served to
towns.

SECT. 7. Said towns, for any lawful purpose, may take up and repair highways occupied by said railway, or may alter highways as authorized by law, without incurring any liability therefor to said corporation.

Company to
keep high-
ways in re-
pair.

SECT. 8. Said railway corporation shall keep in repair, to the satisfaction of the superintendent of streets, street commissioner, road commissioner, or surveyor of highways, in the respective towns, subject to an appeal to the selectmen, the surface material of the portion of highways and bridges occupied by its tracks, and shall keep in suitable repair for public travel the highway for at least eighteen inches on each side of the portion of the highway so occupied by its tracks; and shall be liable for any damage, loss, or injury that any person not in its employ may sustain by reason of the carelessness, negligence, or misconduct of its agents and servants in the construction, management, or use of its tracks.

Subject to
general law.

SECT. 9. Said railway corporation shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting.

Takes effect
on passage;
void as to
parts not built
within two
years.

SECT. 11. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within two years from its passage.

[Approved March 31, 1903.]

CHAPTER 313.

AN ACT AUTHORIZING THE CITY OF NASHUA TO EXEMPT THE HIGHLAND SPRING SANATORIUM COMPANY FROM TAXATION.

SECTION	SECTION
1. Exemption authorized.	2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the city of Nashua be and hereby is authorized to exempt from taxation the property of The Highland Spring Sanatorium Company in said Nashua. The limit of said exemption to be fixed by the city councils of said Nashua.

Exemption authorized.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 31, 1903.]

CHAPTER 314.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF MANCHESTER, ESTABLISHING A BOARD OF ASSESSORS IN PLACE OF THE ASSESSORS PROVIDED UNDER THE CHARTER AND LAWS OF THE STATE.

SECTION	SECTION
1. Board of assessors; election; terms of office; vacancies, how filled.	3. Authority.
2. Clerical force.	4. Repealing clause.
	5. Takes effect Jan. 1, 1905.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. In the month of December, 1904, the common council of said city shall elect three citizens of said city to constitute a board of assessors in and for said city, the first of whom shall serve six years, the second four years, and the third two years from January 1st, 1905, and thereafter biennially in the month of January beginning in 1907 said common council shall elect one citizen to be a member of said board of assessors to hold the office during the term of six years from the time of his election and until his successor is elected and qualified, unless sooner removed.

Board of assessors; election; terms of office; vacancies, how filled.

If a vacancy occurs, said common council shall fill it for the residue of the term, and said common council may remove any member of said board at any time for cause or when the public

good may require it, and the vacancy thus created shall be filled in the manner hereinbefore provided in case of vacancy.

At no time shall more than two of said board be members of the same political party; and they shall each receive \$1,500 as the annual salary, to be paid by said city in monthly payments of \$125: and a suitable office for said board shall be furnished and provided by said city.

Said board shall organize and choose one of its members as chairman and shall also choose a clerk not a member of the board, to be paid such salary as said common council shall determine.

Clerical force.

SECT. 2. The common council shall make such appropriation as shall seem to them just and necessary for the employment of clerical assistance and for such other expenses as may be necessarily incurred by said board of assessors for the prompt and efficient discharge of the duties of their office.

Authority.

SECT. 3. Said board of assessors shall have all power, authority and rights, as set forth in section 11, chapter 49 of the Public Statutes, and all other authority and rights conferred upon assessors, and the board of assessors as now constituted shall from and after the date when this act shall take effect cease from having any authority or rights under the law of this state or the charter of the city of Manchester.

Repealing clause.

SECT. 4. All acts and parts of acts inconsistent herewith are hereby repealed.

Takes effect Jan. 1, 1905.

SECT. 5. This act shall take effect January 1, 1905.

[Approved March 31, 1903.]

CHAPTER 315.

AN ACT TO AUTHORIZE THE TOWN OF GILMANTON TO EXEMPT CERTAIN PROPERTY FROM TAXATION.

SECTION

1. Exemption authorized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Exemption authorized.

SECTION 1. That the town of Gilmanton be, and hereby is, authorized to exempt from local taxation the real estate of Highland Lodge No. 93 I. O. O. F. and the Gilmanton Iron Works Building Corporation now owned in common by said Highland Lodge No. 93 I. O. O. F. and said Gilmanton Iron Works Building Corporation said exemption not to exceed in all ten years.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 31, 1903.]

CHAPTER 316.

AN ACT TO EXEMPT CERTAIN PROPERTY OF THE KEENE YOUNG MEN'S
CHRISTIAN ASSOCIATION FROM TAXATION.

SECTION	SECTION
1. Exemption authorized.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That the city councils of the city of Keene are
authorized and empowered to exempt the property, not hereto-
fore exempted, both real and personal, of the Young Men's
Christian Association in said Keene from taxation. Said ex-
emption shall not exceed a term of ten years.

Exemption
authorized.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 31, 1903.]

CHAPTER 317.

AN ACT TO SEVER CERTAIN RESIDENCES FROM THE SCHOOL DISTRICT
OF THE TOWN OF WILMOT AND TO ANNEX THE SAME TO THE
SCHOOL DISTRICT OF THE TOWN OF NEW LONDON.

SECTION	SECTION
1. Lands severed and annexed.	2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. That the lands and buildings thereon situated
in the town of Wilmot, owned respectively by Walter Jones of
New London, George Shepard of Franklin, George B. Clough
of Wilmot, and Mrs. Sarah E. Everett of New London; and
the tenement house in said Wilmot owned by George B. Clough
of Wilmot, Mason W. Emery of New London, and Charles E.
Shepard of New London, are hereby severed from the school
district of the town of Wilmot and annexed to the school dis-
trict of the town of New London.

Lands sev-
ered and an-
nexed.

SECT. 2. This act shall take effect upon its passage.

Takes effect
on passage.

[Approved March 31, 1903.]

CHAPTER 318.

AN ACT IN AMENDMENT OF CHAPTER 208 OF THE SESSION LAWS OF 1899, ENTITLED "AN ACT TO INCORPORATE THE WALPOLE ELECTRIC LIGHT AND POWER COMPANY" AND OF AN ACT AMENDING SAID ACT PASSED AT THE PRESENT SESSION.

SECTION

1. Capital stock.
2. Powers.
3. Right of eminent domain; assessment of damages.

SECTION

4. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Capital stock. SECTION 1. That section 2 of said chapter 208 be amended by striking out the word "fifty" in the fourth line, and inserting in place thereof the words, one hundred and twenty-five. Also by striking out the words "one-half of" in the fifth line, and inserting in the place thereof the words, the amount of, so that said section when amended shall read as follows: SECT. 2. The capital stock of said corporation shall consist of such number of shares of one hundred dollars each as may from time to time be determined by the directors, not exceeding in the whole the sum of one hundred and twenty-five thousand dollars. Said corporation may also borrow such sums of money, not to exceed the amount of its capital stock then issued, as its stockholders may from time to time determine, and secure the same by such mortgage or mortgages of its franchise and property as they may direct.

Powers. SECT. 2. That section 3 of said chapter 208 be amended by adding after the word "Langdon," in the eighth line thereof, the words, and Acworth and Lempster and Unity, also by adding after the word "acquire" in the seventeenth line the words, or take by eminent domain, and also by adding after the word "necessary" in the eighteenth line the words, for any purposes of the said corporation as authorized by this act, so that said section when amended shall read as follows: SECT. 3. Said corporation is hereby authorized and empowered to establish and carry on in the said towns of Walpole and Alstead and Langdon, the business of generating, manufacturing, producing, and supplying electricity for the purposes of light, heat, and mechanical power, and may also furnish and supply to those requiring it any surplus water-power it may have, and to these ends may purchase, build, erect, and maintain in said Walpole and Alstead and Langdon and Acworth and Lempster and Unity such suitable dams, canals, reservoirs, and

water-powers as may be necessary, and may distribute and supply electricity by metallic wires or by any other suitable means of transmitting the same upon poles erected, or in subterranean tubes or boxes placed in the public streets and highways in said towns, the consent of the selectmen of said towns being first obtained for that purpose, and then such location to be under the direction of said selectmen; and may construct and maintain such suitable dams, canals, reservoirs, structures, or buildings, hold, purchase, lease, and acquire, or take by eminent domain such real and personal property, rights and easements as may be necessary for any purposes of the said corporation as authorized by this act, and may sell, convey, and dispose of the same at pleasure.

SECT. 3. That section 4 of said chapter 208, as heretofore amended, be further amended by adding after the word "site" the words, buildings, structures, canals and reservoirs, and after the words "adjacent to" add the words, and to divert such water from, and after the words "as its needs require" add the words, and carry and distribute the same by such penstocks or other construction as may be suitable and to take by eminent domain for such purposes such land and rights as may be needed, and after the words "for the county" strike out the words "of Cheshire," and add in place thereof the words, in which such lands or rights are situated, so that said section when amended shall read as follows: SECT. 4. Said corporation is also authorized to enter upon and appropriate any dam sites on Cold river and its tributaries, with sufficient land for the proper and convenient use of such dam sites, buildings, structures, canals and reservoirs, and to erect, keep, and maintain such dams, buildings, structures, canals, and reservoirs, and to flow such land adjoining or adjacent to and to divert such water from said Cold river and its tributaries as its needs require, and distribute and carry the same by such penstocks or other construction as may be suitable, and to take by eminent domain for such purposes such land and rights as may be needed; *provided*, that if it shall become necessary for said corporation to exercise any of the rights of eminent domain hereby conferred upon it, and to take thereby to its uses any property of private owners, if said corporation shall not agree with such private owners for the damage thereby done to them, or the owners of the property so taken are unknown, said corporation may apply to the superior court for the county in which such lands or rights are situated, to have the same laid out and the damages determined, and said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as is now provided by law for the laying out of highways, and said commissioners shall lay out the same,

Right of eminent domain; assessment of damages.

determine the damages, and report to said court, and said court may issue execution accordingly.

Takes effect
on passage;
repealing
clause.

SECT. 4. This act shall take effect upon its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

[Approved April 1, 1903.]

CHAPTER 319.

AN ACT TO LEGALIZE A VOTE TAKEN AT THE ANNUAL TOWN MEETING IN BOSCAWEN, ON THE SECOND TUESDAY OF MARCH, 1903.

SECTION

1. Vote legalized.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Vote legal-
ized.

SECTION 1. That the vote taken at the annual town meeting in Boscawen on the second Tuesday of March, 1903, under article 8th of the town warrant, to adopt chapter 29 of the Session Laws of 1899 entitled "An act in amendment of and in addition to chapter 73 of the Public Statutes, relating to the repairs of highways," be and the same hereby is ratified, confirmed, approved, and legalized.

Takes effect
on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved April 1, 1903.]

CHAPTER 320.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 185, LAWS OF 1901, ENTITLED "AN ACT AUTHORIZING THE HILLSBOROUGH COUNTY CONVENTION TO RAISE MONEY FOR THE BUILDING AND REPAIRING OF COURT HOUSES."

SECTION

1. Bonds not be taxed.
2. Bonds, how issued.

SECTION

3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Bonds not to
be taxed.

SECTION 1. That any and all bonds issued by the county of Hillsborough under and by virtue of the authority conferred by chapter 185 of the laws of said state passed at the January

session A. D., 1901, shall be exempted from taxation, *provided* that the rate of interest to be paid thereon shall not exceed three per centum per annum, and *provided further* that such exemption from taxation shall apply only to such bonds as are owned and held by residents of said county of Hillsborough.

SECT. 2. Said bonds shall be issued in denominations of one hundred, five hundred and one thousand dollars, and in disposing of the same, said county commissioners shall give preference to demands or bids for the bonds of the smallest denominations. Bonds, how issued.

SECT. 3. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 321.

AN ACT TO EXEMPT FROM LOCAL TAXATION THE HOTEL PROPERTY THAT MAY BE ERECTED IN THE VILLAGE OF NORTH STRATFORD IN THE TOWN OF STRATFORD.

SECTION 1. Property exempted.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the hotel property erected in the village of North Stratford in the town of Stratford during the year 1903, be and the same is hereby exempt from local taxation for the term of ten years, *providing* the town shall so vote at any legal meeting of the voters thereof. Property exempted.

[Approved April 2, 1903.]

CHAPTER 322.

AN ACT TO LEGALIZE AND CONFIRM THE SCHOOL BOARD'S WARRANT FOR,
AND THE VOTES AND PROCEEDINGS THEREUNDER AT, THE ANNUAL
SCHOOL DISTRICT MEETING IN THE TOWN OF NEWFIELDS HELD IN SAID
TOWN ON THE FOURTEENTH DAY OF MARCH, 1903.

SECTION

1. Warrant and proceedings legalized.

SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

Warrant and
proceedings
legalized.

SECTION 1. That the school board's warrant for and the votes and proceedings thereunder at the annual election and meeting of the school district in the town of Newfields held in said town on the fourteenth day of March 1903 are hereby legalized and confirmed.

Takes effect
on passage.

SECT. 2. This act shall take effect on its passage.

[Approved April 2, 1903.]

CHAPTER 323.

AN ACT FOR THE RELIEF OF THE TOWN OF NEWCASTLE.

SECTION 1. Agent to be appointed to prosecute claims.

WHEREAS, The United States government has taken for military purposes in extending the lines at Fort Constitution in the town of Newcastle land and houses thereon to the value of \$60,000, thus diminishing the taxable property of the town to a very serious degree; and

WHEREAS, It is thought that a claim against the United States exists for compensation for land and the erections thereon heretofore ceded by the state of New Hampshire, and forming the site of the fort and lighthouse, which land, it appears, in whole or in part, at an early day belonged to the freemen of Great Island, now Newcastle, for which the town has never received anything, and thus an equitable right to share in any money paid or to be paid on account of such cession may be considered as remaining in said town of Newcastle,

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the governor be and he is hereby authorized to appoint, by and with the advice of the council, an agent and attorney to prosecute before congress, or any department, or the court of claims, or the supreme court of the United States, any and all claim or claims that the state may have for compensation for land and erections thereon heretofore ceded to the United States in the town of Newcastle as aforesaid. Such agent to be paid out of any sum so recovered a fee that shall have been agreed upon, contingent upon success; the state not to be liable for any expense whatever in connection therewith. The governor shall cause so much of the net proceeds to be paid to the said town of Newcastle as may be necessary to liquidate the debt of the town incurred in the war for the Union, and for no other purpose; and the balance, if any remain, to be paid into the treasury of the state.

Agent to prosecute claims.

[Approved April 2, 1903.]

CHAPTER 324.

AN ACT IN RELATION TO THE POWERS AND DUTIES OF POLICE COMMISSIONERS OF THE CITY OF MANCHESTER.

SECTION	SECTION
1. To appoint janitor of police station.	2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. It shall be the duty of the police commissioners of the city of Manchester to appoint a janitor for the care of the police station and fix his compensation therefor.

To appoint janitor of police station.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved April 2, 1903.]

CHAPTER 325.

AN ACT IN RELATION TO THE LISBON VILLAGE DISTRICT.

SECTION

1. Acts and proceedings legalized.
2. Precinct offices abolished.

SECTION

3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Acts and
proceedings
legalized.

SECTION 1. The acts and doings of the Lisbon Village district at its special meeting held on March 28, 1903, for the adoption of the act establishing the Lisbon Village district, the election of officers and the raising of money thereunder, are hereby legalized and made valid.

Precinct
offices
abolished.

SECT. 2. The offices of the Lisbon Village precinct are hereby abolished.

Repealing
clause; act
takes effect
on passage.

SECT. 3. All acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 326.

AN ACT TO REVIVE, AMEND, AND EXTEND THE CHARTER OF THE GILMANTON & BARNSTEAD ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage; exemption.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for
building
extended.

SECTION 1. The charter of the Gilmanton & Barnstead Electric Railway Company, approved February 15, 1899, and extended to February 15, 1905 [1903], is hereby revived, and the time fixed in such charter is hereby extended to February 15, 1905, and such corporation shall have such additional time in which to build its road.

Takes effect
on passage;
exemption.

SECT. 2. This act shall take effect upon its passage, and shall not be subject to the provisions of section 5, chapter 14, of the Public Statutes.

[Approved April 2, 1903.]

CHAPTER 327.

AN ACT TO REVIVE, AMEND, AND EXTEND THE CHARTER OF THE ALTON
& GILMANTON ELECTRIC RAILWAY COMPANY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage; exemption.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The charter of the Alton & Gilmanton Electric Railway Company, approved March 11, 1899, and extended to March 11, 1903, is hereby revived, and the time fixed in such charter is hereby extended to March 11, 1905, and said corporation shall have such additional time in which to build its road.

SECT. 2. This act shall take effect upon its passage, and shall not be subject to the provisions of section 5, chapter 14, of the Public Statutes.

[Approved April 2, 1903.]

CHAPTER 328.

AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF GREENVILLE.

SECTION

1. Water-works authorized.

2. Right of eminent domain; assessment of damages.

SECTION

3. Contracts authorized.

4. Appropriations authorized.

5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. The town of Greenville is hereby authorized and empowered to construct, manage, maintain, and own suitable water-works, for the purpose of introducing into and distributing through the villages in said town an adequate supply of pure water in subterranean pipes, for extinguishing fires and for the use of its citizens, and for other purposes; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any real or personal estate, and any rights therein, and water rights necessary for carrying into effect the purposes of this act, and to excavate and dig canals and ditches in any street, place, squares, passways, highways, commons, or other place through which it may be deemed necessary and proper for building said water-works, and relay, change, and repair the same at pleasure, having due respect for the safety of its citizens and security of the public travel.

SECT. 2. Said town is authorized and empowered to enter upon, take, and appropriate any streams, springs, ponds, lakes, or water rights, and to secure, by fence or otherwise, such

streams, springs, ponds, lakes, or water rights, and dig ditches and canals, make excavations or reservoirs, through, over, in, or upon any land or enclosure through which it may be necessary for said aqueduct to pass, or said excavations, reservoirs, and water-works to be or exist for the purpose of obtaining, holding, preserving, or conducting such water, and placing such pipes or other materials or works as may be necessary for building and operating such aqueduct and water-works, or for repairing same; *provided*, if it shall be necessary to enter upon and appropriate any land or water rights, or any stream, spring, lake, or pond, for the purpose aforesaid, or to raise or lower the level of any stream, spring, lake, or pond, and if said town shall not agree with the owners thereof for the damage that may be done by said town, or such owners shall be unknown, said town, or said owners or party injured, may apply to the trial term of the superior court for the county within which such stream, spring, pond, lake, water rights, or land is situate, to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners for said county, who will appoint a time and place for hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly; if either party shall desire, they shall be entitled to trial by jury in such manner and under such regulations as the court may prescribe, in the same manner as appeals from the award of damages in the case of laying out highways.

Contracts
authorized.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations for supplying them with water, and to make such contracts and establish such regulations and tolls for the use of water as may from time to time be deemed proper; and for the more convenient management of said water-works the said town may, either before or after the construction of the same, place them under the direction and control of a board of water commissioners, with such powers and duties as may from time to time be prescribed by said town.

Appropriations
authorized.

SECT. 4. Said town is also authorized, at any annual or special meeting by a major vote of those present and voting, to raise and appropriate, and to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed advisable, for the purpose of defraying the expense of purchasing real estate, rights in real estate, water rights, streams, springs, lakes, ponds, and rights aforesaid, and for constructing, maintaining, and operating said water-works, payable at such times and such rates of interest as may be thought proper. The purchase of real estate and water rights already made by said town, are hereby ratified and confirmed.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 329.

AN ACT TO AMEND CHAPTER 184 OF THE LAWS OF 1897, ENTITLED
“AN ACT TO INCORPORATE THE DALTON POWER COMPANY,” AS
AMENDED BY SECTION 1, CHAPTER 221 OF THE LAWS OF 1899.

SECTION	SECTION
1. May acquire stock of other corporations.	3. Issue of bonds.
2. Capital stock; property.	4. May maintain dams.
	5. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in
General Court convened:*

SECTION 1. Amend section 2, chapter 184 of the Laws of 1897 by adding at the end of said section the words, and said corporation may take, hold, and dispose of stocks and bonds of other corporations, so that said section, as amended, shall read as follows: SECT. 2. That said company is hereby authorized, to acquire by lease or purchase, the property, rights, franchises, privileges, and immunities of any electric light company now or hereafter existing in any town or city in said counties of Grafton or Coös, state of New Hampshire, or said county of Caledonia and county of Essex, state of Vermont, upon such terms or conditions as may be mutually agreed upon; and upon such lease or purchase and a transfer and conveyance of the same to the Dalton Power Company, it shall succeed to and enjoy all the rights, privileges, and immunities now enjoyed and belonging to any such electric light company and said corporation may take, hold, and dispose of stocks and bonds of other corporations.

SECT. 2. To amend section 4, chapter 184 of the Laws of 1897, by striking out the words “one hundred and fifty” wherever the same appear in said section, as amended by section 1, chapter 221 of the Laws of 1899, and inserting in lieu thereof, in each place, the words, four hundred and fifty, and adding at the end of said section the words, and shall have the right to issue bonds secured by a mortgage upon its franchises, rights and properties to an amount not exceeding the amount of the capital stock actually paid in; so that as amended said section shall read as follows: SECT. 4. The capital stock of said corporation shall not exceed the sum of four hundred and fifty thousand dollars, divided into shares of one hundred dollars each. The amount thereof within said authorized limit shall be fixed by the corporators upon the organization of the company, and the same shall from time to time be increased as determined by the stockholders until all of said four hundred and fifty thousand dollars has been issued. Said capital stock may be paid in cash, or in property taken at a fair valuation, but no shares shall be issued until fully paid for. The said company shall have the right to acquire, own, or hold by lease

or purchase, any and all property, both real and personal, that may be necessary or useful for the purposes of its business, and shall also have the power to sell, mortgage or lease its franchises, rights, and properties to other corporations in this state and the state of Vermont.

Issue of
bonds.

SECT. 3. Amend section 5 of said chapter 184 of the Laws of 1897, by striking out the words "seventy-five per cent." in the fifth line of said section, and inserting in the place thereof the words, the amount; so that said section as amended shall read as follows: SECT. 5. And said company may issue its bonds for the accomplishment of any of the purposes for which it is incorporated, at such rates and times, and in such amounts as the stockholders may authorize; *provided*, such bonds shall not be issued in amounts exceeding the amount of the capital stock actually paid in; and it may secure payment of such bonds, both principal and interest, by a mortgage on its property and franchises.

May maintain
dams.

SECT. 4. Amend section 6, chapter 184 of the Laws of 1897 by inserting in the second line after the word "dam" and before the word "and," the following words, or dams; and after the word "at" and before the words "a point" in the fourth line, by inserting the words, any point or points on said falls between the northerly line of the James Adair farm, so called, on the New Hampshire bank, and the mouth of Miles Pond brook, so called, on the Vermont bank of said river, and, so that the said section when amended shall read as follows: SECT. 6. Said corporation is hereby authorized and empowered to erect and maintain a dam or dams and all such works as may be necessary and proper to carry into effect the objects aforesaid on and across the Connecticut river at Fifteen Mile falls, at any point or points on said falls between the northerly line of the James Adair farm, so called, on the New Hampshire bank, and the mouth of Miles Pond brook, so called, on the Vermont bank of said river, and a point on said falls about three miles below the Sumner house in said Dalton, in said county of Coös, and to make and maintain all such canals and slips as may be necessary and proper for the purposes aforesaid; *provided* that this grant shall not be held or construed to impair any rights, powers and privileges heretofore granted by the legislature of this state within the limits aforesaid.

This corporation shall not flow any land lying north of the southerly line of land now owned by the Concord & Montreal Railroad on said river above the location of said dam, and if the dam shall not be constructed and an electric light plant created and equipped for use for one or more of the purposes of this act by December 1, 1900, this act shall thereafter be void and of no effect.

Takes effect
on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved April 2, 1903.]

CHAPTER 330.

AN ACT TO RENEW "AN ACT TO INCORPORATE THE GLEN JUNCTION TRANSFER COMPANY," PASSED JANUARY SESSION, 1897, AND TO AMEND THE SAME.

SECTION

1. Charter renewed and amended.

SECTION

2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That chapter 154 of the Laws of 1897, entitled "An act to incorporate the Glen Junction Transfer Company," be and is hereby re-enacted and renewed, and the same is amended as follows: In section 1 of said act strike out the words "John L. Hobson, Henry M. Knowles, Isaac B. Hosford, Arthur Hobson," and insert in place thereof, the words, Earnest McC. Macey, Frank P. Thomas, A. M. Burbank, Irving W. Drew, so that said section 1 as amended, will read as follows: SECTION 1. That Earnest McC. Macey, Frank P. Thomas, A. M. Burbank, Irving W. Drew, James Lavin their associates, successors and assigns be and they hereby are made a body corporate and politic by the name and style of the Glen Junction Transfer Company, with all the rights, privileges, liabilities and duties by the laws of this state incident to similar corporations and necessary and proper to carry into effect the purposes of this act.

Charter renewed and amended.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved April 2, 1903.]



STATE OF NEW HAMPSHIRE.

OFFICE OF SECRETARY OF STATE,

CONCORD, July 1, 1903.

I hereby certify that the acts and resolves and changes of names contained in this pamphlet have been compared with the originals in this office, and found to be correctly printed.

EDWARD N. PEARSON,

Secretary of State.

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NEW HAMPSHIRE LAWS

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